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 - Gippsland

Strategies

Support urban growth in Latrobe City as Gippsland’s regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Provide regional social infrastructure in the regional city and regional centres.

Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.
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)
**Growth areas**

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

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

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

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

**Policy documents**

Consider as relevant:

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

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

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

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

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

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective
To plan for sustainable coastal development.

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

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

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

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

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

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

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

Protect areas between settlements for non-urban use.

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

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

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

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

Policy documents
Consider as relevant:

- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *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:


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

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

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

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

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

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

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

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

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

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

Apply the hierarchy of principles for coastal planning and management:

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

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

**Policy guidelines**
Consider as relevant:

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

**Policy documents**
Consider as relevant:

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

Objective

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

Strategies

Protect the environmental, cultural and landscape values of all water bodies and wetlands.

Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.

Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.

Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland’s natural capacity to manage flood flow.

Protect the Yarra, Maribyrnong and Murray River corridors as significant economic, environmental and cultural assets.

Facilitate growth in established settlements where water and wastewater can be managed.

Policy documents

Consider as relevant:

- Maribyrnong River Valley Design Guidelines (Department of Planning and Community Development, 2010)
- Melbourne Water’s Guidelines for Approval of Jetties (Melbourne Water, 2011)
- Healthy Waterways Strategy (Melbourne Water, 2013)
High value water body assets - Gippsland

Strategy
Minimise the impact of urban growth on high value water body assets such as the Gippsland Lakes, Corner Inlet, Anderson Inlet, Mallacoota Inlet and their source rivers.
Sustainable development in alpine areas

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

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

Objective

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

Strategies

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

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

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

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

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

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

Objective

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

Strategies

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

- Victorian Coastal Strategy (Victorian Coastal Council, 2014)
**Bushfire planning**

**Policy application**

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

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

**Objective**

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

**Strategies**

**Protection of human life**

Give priority to the protection of human life by:

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

**Bushfire hazard identification and assessment**

Identify bushfire hazard and undertake appropriate risk assessment by:

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

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

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

Areas of biodiversity conservation value

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

Use and development control in a Bushfire Prone Area

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

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

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

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

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

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

Objective
To assist the protection of:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- *State Environment Protection Policy (Waters of Victoria)*
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 - Gippsland

Strategy

Protect productive land and irrigation assets, including the Macalister Irrigation District, that help grow the state as an important food bowl for Australia and Asia.
Sustainable agricultural land use

Objective
To encourage sustainable agricultural land use.

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

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

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

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

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

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

Facilitate ongoing productivity and investment in high value agriculture.

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

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

Policy documents
Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

Require appropriate measures to restrict sediment discharges from construction sites.

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

Policy documents
Consider as relevant:

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

**Objective**
To protect water quality.

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

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

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

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

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

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

**Policy documents**
Consider as relevant:

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

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

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

- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)
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 InterestAreas** (Geological Survey of Victoria Technical Record, 1999/4)
BUILT ENVIRONMENT AND HERITAGE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Promote good urban design along and abutting transport corridors.

Policy documents
Consider as relevant:

Building design

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

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

Policy documents
Consider as relevant:

Subdivision design

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

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

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

Policy documents
Consider as relevant:

- Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning,
  2017)
Healthy neighbourhoods

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

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

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

Policy documents
Consider as relevant:

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:

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 diversity**

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

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

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

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

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

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

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

Strategies
Improve housing affordability by:

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

Increase the supply of well-located affordable housing by:

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

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

Policy documents
Consider as relevant:

Rural residential development

Objective
To identify land suitable for rural residential development.

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

Objective

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

Strategies

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

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

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

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

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

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

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

Encourage planning for housing that:

- Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.

- Enables older people to live in appropriate housing in their local community.

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

Objective
To strengthen and diversify the economy.

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

**Strategies**

Support production and processing facilities that add value to local agricultural, forestry and fisheries products.

Support the development of industry sectors focussed on growing Asian and other international markets.

Support development of coal-to-products industries such as diesel, fertiliser and gas, for both domestic and export markets.

Improve Gippsland’s capacity in advanced manufacturing and engineering with particular reference to Latrobe Valley industries.

Support Gippsland’s fishing industry by maintaining ports and enabling development of fishing operations at Lakes Entrance, Mallacoota, Port Welshpool, San Remo, Port Franklin and Port Albert.

Facilitate opportunities within aviation-related industries.
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.
Innovation and Research - Gippsland

Strategies

Facilitate opportunities for innovation and industry development arising from climate change and initiatives to reduce greenhouse gas emissions.

Support development of the region’s research and development capacity in places with an established presence including Churchill and Ellinbank.
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.
Commercial centres - Gippsland

Strategy
Support redevelopment initiatives in commercial centres that will be subject to significant growth (Traralgon, Morwell Mid Valley, Warragul, Wonthaggi, Leongatha, Sale and Bairnsdale) to improve their attractiveness and usability.
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 land supply - Gippsland

Strategy

Facilitate the release of additional industrial zoned land in towns including Warragul, Leongatha, Sale, Lakes Entrance, Paynesville and Mallacoota.
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 - Gippsland

Strategies

Facilitate tourism in strategic tourism investment areas shown on the Gippsland Regional Growth Plan.

Facilitate tourism development in existing urban settlements to maximise access to infrastructure, services and labour and to minimise impacts on the environment and exposure to natural hazards.

Support nature-based tourism proposals that complement and are compatible with the region’s environment and landscape attractions or are close to identified strategic tourism investment areas.
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:

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 system - Gippsland

Strategy

Support timely improvements to the road, rail and public transport networks within and beyond Gippsland as population and economic growth increases to improve access to services and employment.
Sustainable personal transport

Objective
To promote the use of sustainable personal transport.

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

Public Transport

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

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

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

Objective

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

Strategies

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

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

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

Selectively expand and upgrade the road network to provide for:

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

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

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

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

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

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

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

Design and locate local car parking to:

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

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

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

Policy documents
Consider as relevant:

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

Strategies

Plan for improved rail and road connections to the Port of Hastings and other freight and logistic precincts.

Support development of freight and logistics precincts at Morwell and Bairnsdale and improve key transport links.
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.
Energy supply – Gippsland

Strategy

Support continuing production from the region’s oil and gas fields.
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:

Pipeline infrastructure

Objective

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

Strategies

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

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

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

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

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

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

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

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

Provide adequate car parking for staff and visitors of health facilities.
**Education facilities**

**Objective**

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

**Strategies**

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

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

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

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

Locate tertiary education facilities within or adjacent to activity centres.

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

Develop libraries as community based learning centres.
Cultural facilities

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

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

Objective

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

Strategies

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

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

Ensure social infrastructure is designed to be accessible.

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

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

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

Identify and protect land for cemeteries and crematoria.
Emergency services

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

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

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

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

Ensure that open space networks:

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

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

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

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

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

Protect large regional parks and significant conservation areas.

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

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

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

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

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

Develop open space to maintain wildlife corridors and greenhouse sinks.

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

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

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

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

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

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

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.
Development and infrastructure contributions plans

Objective

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

Strategies

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

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

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

Policy documents

Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

- *State Environment Protection Policy (Waters of Victoria)*
- *Guidelines for Environmental Management: Code of Practice - Onsite Wastewater Management* (Publication 891.4, Environment Protection Authority, 2016)

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

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

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

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

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

Policy documents
Consider as relevant:

Waste and resource recovery

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

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

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

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

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

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

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

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

Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines
Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents
Consider as relevant:

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

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

The Wellington municipality has an area of 10,924 square kilometres and is located approximately 200 kilometres east of Melbourne.

The Shire’s population increased between the 2006 and 2011 censuses from 40,080 to 41,440, a reversal of the decline seen between 1996 and 2001. The percentage of persons aged 55 years and over increased from 28.4% to 31.7% over the period. This indicates that the Shire has an ageing population.

Settlement and Housing

The Shire’s population principally (over 60 percent) resides in and around the six main urban centres, and is mainly concentrated in the central part of the municipality. The towns of Sale, Heyfield, Maffra, Rosedale and Stratford are all located on or close to the Princes Highway whilst the town of Yarram is located on the South Gippsland Highway.

Sale is the largest urban centre in the Shire with a total population in 2011 of 13,825 persons within the Sale Statistical Local Area, a growth rate of 5.6% since 2006.

The remaining large townships fulfil a service role to the rural areas across the Shire, as well as being centres of commerce, industry and employment in their own right.

The township of Yarram is the largest in the south-west area of the Shire. It fulfils the primary commercial and cultural function for the rural areas and smaller settlements in this part of the municipality.

The Ninety Mile Beach area includes a number of settlements, stretching from Loch Sport in the north-east to Port Albert in the south-west.

Environment and Landscape Values

Wellington Shire includes relatively unspoilt coastal, lake and mountain areas, together with some of the richest agricultural land and oldest urban settlements in the State. The Shire is situated in Central Gippsland, between the Latrobe Valley and Ninety Mile Beach.

The Shire includes an array of ecosystems, stretching south from the Great Dividing Range and Dargo High Plains to the Gippsland Lakes system, wetlands and the Ninety Mile Beach coastal areas. The Alpine National Park is a key natural feature of the Great Dividing Range. A significant proportion of the Shire’s area is public land, particularly the foothills and alpine regions of the Dividing Range north of Maffra, Heyfield and Briagolong, the Tarra-Bulga National Park and the Holey Plains State Park south of Rosedale.

The wetlands in the Shire provide a haven for bird life and many are recognised by their listing on the National Estate Register and declarations under the RAMSAR Convention on Wetlands of International Importance (especially as water fowl habitat). These wetlands provide a prelude to the Gippsland Lakes, Lake Wellington, Lake Victoria, Heyfield and the coastal regions including the Corner Inlet/Nooramunga Marine National Park in the Shire’s south-west region. The Ninety Mile Beach is a significant part of this coastal system.

The largely undeveloped coastline of the Ninety Mile Beach and the Gippsland Lakes Coastal Park are also major features in the region.

Coastal landscape features vary throughout the Shire. Dunes, wide sandy beaches, mangrove and intertidal sand and mud flats dominate the south-western parts of the Shire, while the extensive and continuous ocean coast of the Ninety Mile Beach is the dominant landscape feature of the north eastern parts. Gentle undulations along narrow spits and peninsulas are also found between poorly drained mud and sand flats and shallow lakes and inlets.
A number of important water features are present within the Shire, including the large and permanent Lake Wellington, the long ephemeral lakes that occur behind the narrow coastal strip, such as Lake Reeve, and non tidal inlets and swamps and lagoons. Extensive areas of estuarine mangrove, salt marsh and swamp vegetation also occur around wetland and watercourse areas. Dunes along the coastline are often dominated by low indigenous coastal scrub.

Rural areas

Overview

The Wellington Shire Rural Zones Review identified nine Planning Units across the municipality. These Units are used to identify common natural and physical features within the Shire and are divided into geographical areas. The Planning Units are an important tool for the systematic identification and consideration of planning matters. These are presented geographically and in tabulations that describe each of the Units in the Shire which are:

- Planning Unit 1: Northern Ranges
- Planning Unit 2: Macalister
- Planning Unit 3: Glenmaggie-Briagolong
- Planning Unit 4a: Rosedale-Stradbroke
- Planning Unit 4b: Eastern Gippsland Plains
- Planning Unit 5: Strzelecki
- Planning Unit 6: Coastal West, Hinterland
- Planning Unit 7: Coastal East, Hinterland
- Planning Unit 8: Coastal

Planning Unit Descriptions

Planning Unit 1: Northern Ranges

The Northern Ranges Planning Unit covers the northern part of the Shire and is predominantly public land with freehold land interspersed within the Crown Land. The Unit is characterised by heavily vegetated steep terrain and sheer narrow valleys on the southern face of the Victorian Alps. The forested public land in the Unit retains high ecological and broader environmental values. The Unit has a strong history in timber production from public lands, however this has diminished in recent decades and the Alpine National Park will not be available as a timber resource in the future.

The land in steep areas is subject to soil creep and to erosion when exposed. The Unit is also a high wildfire risk area, particularly highland areas which have large fuel loads and steep terrain. Careful soil management is required by all land uses in this Unit to minimise soil and broader environmental degradation.

Planning Unit 2: Macalister

The Macalister Planning Unit is located centrally in the Shire. It incorporates the Macalister Irrigation District (MID) and surrounding dryland agricultural areas. It is characterised by flat landscape and is predominantly used for agriculture purposes as the land is suitable for gravity-fed irrigation and has high quality soils.

Planning Unit 3: Glenmaggie-Briagolong

The Glenmaggie-Briagolong Planning Unit interfaces between the flat Macalister agricultural area and the northern ranges. There is increased popularity for rural residential/lifestyle living in this Unit due to its visual attractiveness, although this can create conflict between lifestyle living and
agriculture practices. Land in the steeper areas tends to be less cleared. Land within this Unit is classed as good grazing land with limited versatility for other uses. The land should be retained for agricultural purposes in the future. Land in the west of the Unit is used for plantation forestry.

**Planning Unit 4a: Rosedale-Stradbroke**

The Rosedale-Stradbroke Planning Unit occupies the Gippsland Plains north and south of the Princes Highway, and the lowland hills to the south of Rosedale. Land uses in the Unit are varied. Land in the north and south of the Princes Highway is characterised by flat to gently undulating plains that support sheep and beef grazing (and limited dairying). There is little irrigated agriculture apart from irrigated vegetable production in the south-east of the Unit on sandy soils. The hillier areas of the Unit are largely covered by native forest (Holey Plains Park) and forestry plantations. Dryland agriculture and the timber industry (on private and public lands) have very high strategic importance in the Unit. The Unit contains extensive sand and gravel resources that could be extracted in the future.

**Planning Unit 4b: Eastern Gippsland Plains**

The Eastern Gippsland Plains Planning Unit occupies the eastern side of the Shire. Much of the Unit has a flat to gently undulating landscape with lighter sandy surface soils and a regular but widely spaced drainage pattern, flowing generally south easterly toward Lake Wellington. The land across most of the Unit has a moderate capability for a range of productive and non-productive uses, assisted by gentle landscape profiles and reasonably stable soils under good ground cover. Land capability in the vicinity of Lake Wellington is diminished by high water tables and salinity and is not suited to cropping. None the less, agriculture in this Unit contributes to the strong strategic importance of agriculture in the Shire.

**Planning Unit 5: Strzelecki**

The Strzelecki Planning Unit is located in the south-west of the Shire. It is primarily characterised by the steep to hilly Strzelecki Ranges that include the Tarra-Bulga National Park. The landscape is dominated by the hills with native vegetation and softwood and hardwood plantation forestry. This is interspersed with grazing farmlands that have diminished over recent decades due to expanding plantation forestry. Conflicts between ‘lifestyle living’ and forest operations have emerged in areas of this Unit.

The strategic importance of farming in the hillier parts of the Unit has diminished but the Unit still provides a valuable contribution to the Shire’s agricultural economy.

**Planning Unit 6: Coastal West, Hinterland**

The landscape is mainly a flat coastal plain with no distinguishable features, located inland of the low coastal sand dunes of the Ninety Mile Beach and abutting the base of the visually dominant Strzelecki Ranges.

Suitability for cultivation is limited by environmental conditions particularly salt load in winds off the ocean that would impact adversely on most vegetable and crop production types and higher water tables in lower lying areas. Cultivated sandy soils are also vulnerable to wind erosion. The most suitable agricultural use is extensive livestock grazing, particularly where irrigation water is not available.

Grazing agriculture in the Unit is strategically important for its contribution to the Shire’s economic base and its rural character. Suitability for more intensive dairying use is enhanced where groundwater is available for spray irrigation.

**Planning Unit 7: Coastal East, Hinterland**

The land is typically flat and low lying with some raised dunes in the western end. There are areas of extensive sheep grazing and dairying in the south-west of the Unit and plantation forestry. However, farming areas in the Unit are generally of low productivity and are very sparsely settled.
High watertables occur in low lying parts of the Unit, which may also experience impacts from rising sea levels through from Gippsland Lakes. This could cause extensive inundation, rising of water tables and expansion of existing land salinity.

Relative to other parts of the Shire, this Unit has limited strategic agricultural importance due to the low productivity of soils and less sizeable agricultural enterprises and forest plantations.

**Planning Unit 8: Coastal**

The Coastal Planning Unit covers the full length of the narrow primary dune system and associated lakes and lagoons at the western end of the Unit. The sensitive and fragile coastal sand dune environment is an integral component of Ninety Mile Beach. Sand dunes along the coastline are highly vulnerable to wind erosion and the Unit is also particularly susceptible to the impacts of sea level changes. The agricultural strategic importance of the Unit is very low as the land is not particularly suitable for agricultural uses.

**Further Information**

For more detail on each of the Planning Units refer to the Wellington Shire Rural Zones Review Planning Units, Volume 2 (2009). The extended Planning Unit Descriptions in this report include descriptions of:

- Physical land units (agricultural quality, land capability, suitability and natural resource management).
- Strategic rural influences (SPPF and LPPF).
- Planning data information (demographic data, settlement patterns, land tenure, agricultural strategic importance, water, existing land uses, agribusiness/rural industry, rural tourism, coastal activities, coal stone extractive resources and timber resources).
- Strategic directions and zone implementation (strengths/opportunities, weakness/constraints, other planning matters and recommended changes to the LPPF, Zones and Overlays).
Environmental Risks

A number of small rural and coastal settlements are not provided with reticulated services and are causing environmental concerns. The Shire is also impacted by bushfire, flooding, potential changes in climatic conditions and land degradation issues (including salinity and erosion).
Natural Resource Management

Land across the central region of the Shire is characterised by alluvial plains with high quality soils, areas of high annual rainfall and an extensive irrigation system. Agricultural land to the south is renowned grazing country, also with high rainfall and good quality soils.

The Shire is wholly within the area of the West Gippsland Catchment Management Authority other than for a very small area of predominantly public land in the north east of the Shire which falls within the East Gippsland Catchment Management Authority boundary.

The region has the State’s primary reserves of brown coal and gas located within it. The delineation and protection of the coal resources and urban buffer areas will aid in retaining this valuable asset, and provide appropriate land use control in the areas adjoining the coal resource.

Built Environment and Heritage

There are a number of important post-European heritage precincts and individual buildings within the Shire, together with significant Aboriginal heritage sites. These heritage assets contribute to the diversity and interest of the Shire and should be protected.

Economic Development

All six main urban centres derive their wealth and prosperity from agricultural and farming activities, as well as the timber industry, off shore oil and gas extraction and activities associated with aviation.

In 2013, a significant proportion of the Shire’s 14,192 strong labour force was employed in agriculture, forestry and fishing (13.5%), health and community services (12.8%), retail trade (11.8%) and public administration and safety (9.8%). While employment in the agriculture, forestry, fishing and manufacturing sectors has declined slightly, there has been continuing growth in the health and community services. This reflects an ageing population and increases in health and aged care services.

The Shire hosts significant airfield infrastructure with the RAAF base at East Sale being an important local employer. The oil and gas industry has also been well established in the Shire for many years. Bass Strait oil production has dropped from 500,000 barrels a day in the 1980’s to 50,000 barrels per day at present. With the opening of the Turrum, Kipper and Tuna gas fields and expansion of the Longford gas plant in 2013-15, Bass Strait will play an increasingly important role in production of natural gas. This mining produces almost $1.6 billion annually and directly employs over 489 people.

The Shire’s agricultural sector is one of the largest contributors to the Victorian agricultural economy. The Macalister Irrigation District is an important component of the rural area. Dairying and cattle grazing are the dominant agricultural pursuits. Farm sizes are smaller on average than farms across the State largely reflecting the high quality of soils, climate and irrigation across the Shire.

Transport

Wellington Shire’s key transport routes include the Princes Highway and the Bairnsdale-Melbourne rail corridor.

Local transport networks vary in scale and frequency throughout the Shire. These transport networks along with the key transport routes are used for both freight and private travel. Most travel in the Shire occurs in private motor vehicles.
Infrastructure

The main urban settlements including Sale, Maffra, Yarram, Heyfield, Stratford and Rosedale are provided with reticulated services and other community infrastructure. A number of the small rural settlements including Alberton, Briagolong, Dargo and Licola and coastal areas have limited services. Infrastructure includes drainage, water, waste and energy services, open space and recreation facilities, roads, pedestrian and cycle paths, railways and airfields.
KEY ISSUES AND INFLUENCES

The following “key issues and influences” have shaped the strategic directions and planning controls contained in this scheme.

Settlement and Housing

- The Shire’s ageing population will create more diverse and differing demand for community facilities and resources than the Shire experiences currently.
- Maintaining healthy communities through all age cohorts in the population, and the link between urban planning and health is seen as being increasingly important to the Shire.
- It is more efficient to provide for population growth, housing and other non-rural development in existing townships to take advantage of existing infrastructure.
- The value of the Shire’s agricultural sector will be diminished if high quality agricultural land is fragmented and lost from production.
- Rural residential development is an important lifestyle feature of the Shire.
- Sale competes with other regional centres for investment and employment.
- The Shire’s coastal areas are under increasing redevelopment pressure.
- Many developed areas and areas subject to development pressure are compromised by not having reticulated sewerage and by inadequate stormwater drainage.
- Physical activity and social interaction are important urban design principles in the Shire’s main towns.

Environment and Landscape Values

- The Shire’s ecological and landscape features are important State and national assets.
- The Shire’s coastal and riverine environments are sensitive to inappropriate development and can be easily and irreversibly damaged.
- The Shire’s coastal landscapes are highly sensitive to visible changes, such as inappropriately scaled or sited built form or changes to the existing vegetation patterns.
- The Shire has areas of high value biodiversity habitat.

Environmental Risks

- The Shire contains areas of land that are liable to flooding and susceptible to fire.
- Inadequate drainage and sewerage services can lead to significant environmental degradation.
- Many developed areas and areas subject to development pressure are compromised by not having reticulated sewerage and by inadequate stormwater drainage.
- Land capability is an important consideration for most land use activities in the Shire.

Natural Resource Management

- The economy and lifestyle enjoyed by the Wellington Shire community is closely linked to the Shire’s unique natural environment. The Shire’s natural resources have provided the foundation upon which the Wellington community has developed and prospered. The future development of the Shire will continue to depend on the utilisation, management and protection of these natural resources. The protection and sustainable development of the Shire’s natural resources must, therefore, be important principles in guiding future development.
- Water catchments are vital to the Shire’s prosperity and are highly sensitive to inappropriate development.
The natural resource base provides a significant economic opportunity for the Shire.

The West Gippsland CMA Regional Catchment Strategy, 2013-2019 (or any superseding document) is the principal natural resource management strategy for the region. Key issues in the Regional Catchment Strategy include appropriate planning for coastal areas and the Gippsland Lakes.

Natural resources, such as brown coal reserves, are important State assets that must be protected for future use.

Built Environment and Heritage

- The Shire’s cultural and heritage features are important State and national assets.
- Community viability, social interaction and healthy living can be enhanced by a well designed urban environment, streetscapes and infrastructure to facilitate physical activity and linkages to open space.

Economic Development

- The Shire’s main industries include dairying, beef production, timber production and industries based on oil and gas exploration.
- Sustainability is often a critical consideration in terms of economic development and employment creation.
- Long term prosperity will rely on the diversification and strengthening of the Shire’s economic base.
- The diversity of economic activity within Sale and the wider Wellington Shire is a key economic strength.
- Sale is the primary service centre within the municipality and its economy has an impact on adjoining towns, as well as the wider region.
- The environmental diversity of the Shire is a key tourism opportunity.
- Agriculture, rural and timber industries are of fundamental importance to the Shire’s economic prosperity as well as economies of the region, State and nation.
- High quality agricultural land, particularly in the Macalister Irrigation District, is the cornerstone of the Shire’s agricultural sector.
- The Shire’s airfields provide important economic development opportunities that can be compromised by inappropriate use and development.
- The natural resource base provides a significant economic opportunity for the Shire. Future strategic industries, including tourism, horticulture, dairying, timber production, viticulture, value adding industries and other niche industries will depend on the maintenance and improvement of the natural environment.
- The Shire’s rural areas make a significant contribution to the economic well being of the community.
- The value of the Shire’s agricultural sector will be diminished if high quality agricultural land is fragmented and lost from production.

Transport

- The Princes Highway, Hyland Highway and South Gippsland Highway and Bairnsdale Rail Line are key transport routes providing access between and within the Shire.
Infrastructure

- Urban infrastructure is expensive to provide and its development requires long lead times.
VISION - STRATEGIC FRAMEWORK

Vision

Wellington 2030 is a strategic visioning document guiding the Shire up to 2030. This strategic vision document is divided into eight themes, each with their own broad vision as outlined below.

1. Natural Environment: Wellington has clean air and healthy rivers, streams and lakes. The native flora and fauna are plentiful and diverse. Our public land is protected and well managed. Water supplies are secure and abundant.

2. Economy: Wellington has a diverse and sustainable economy. Existing industries have been supported and strengthened and we have actively sought and developed new business opportunities. Our economy generates wealth that remains in the Shire and provides employment for our people.

3. Transport and Roads: Wellington has well maintained transport networks supporting important economic activity and connected communities. Our townships are supported by excellent public transport services.

4. Population: Wellington’s population has grown in a sustainable manner. We have used deliberate strategies to attract and retain more young families and young people while continuing to value the contributions of our older residents.

5. Development: Wellington has encouraged growth in appropriate locations supported by levels of infrastructure in keeping with the needs of the community while retaining the amenity valued by the community.

6. Wellbeing and Safety: Wellington is a safe and healthy community where everyone feels they are valued, supported and have the opportunity to participate. Social issues have been addressed through the joint efforts of community and supporting agencies.

7. Culture: Wellington is a vibrant, inclusive and creative community that promotes, values and celebrates its culture and heritage.

8. Liveability: Wellington is a visually attractive and well serviced community that people enjoy living in.

Strategic Framework Land Use Plan

The Strategic Framework Plans identify key directions for future land use planning and development in the Wellington Shire. The Framework Plans summarise the locations where specific land use outcomes will be supported and promoted. They also identify specific development opportunity areas where significant land use change can be expected, as well as areas such as heritage places and National Parks, whose special values need to be protected.

Separate Strategy Plans have been prepared for each of the six major towns in the Shire including: Sale, Wurruk and Longford, Maffra, Yarram, Heyfield, Stratford and Rosedale.

Separate coastal settlement plans have been prepared for the towns of Loch Sport, Golden Beach/Paradise Beach, The Honeysuckles, Seaspray, Woodside Beach, McLoughlins Beach, Manns Beach, and Robertsons Beach. These plans can be found in other parts of this MSS.
SETTLEMENT & HOUSING

Overview

Urban townships
Sale is the main employment, education, medical and commercial centre of the Shire. It also fills a service role for its rural hinterland and the smaller towns and settlements. The Shire’s other main towns (with populations greater than 1,000) are Maffra, Yarram and Heyfield. These towns act primarily as service centres for surrounding rural communities as well as providing community services, employment and recreation facilities. They are experiencing either low population growth or decline. Most have reticulated sewerage and water supply, and drainage services, and have had urban growth areas identified. The towns of Stratford and Rosedale (populations also greater than 1000) are located on the Princes Highway and have developing specialist functions, such as tourism based retailing and as stopping points for highway travellers.

Rural townships
There are a number of smaller inland townships (populations less than 1,000) throughout the Shire which are typically minor rural service centres providing a limited range of commercial, community and recreational facilities to the local population. They generally do not have reticulated sewerage or drainage. Dargo and Licola are recognised access points to the High Plains and Alpine National Park and attract large numbers of visitors, including four wheel drive enthusiasts, horse riders, bushwalkers and fishing enthusiasts.

Rural Areas
The Shire contains sparsely populated areas used for broad hectare agriculture. These areas feature a lack of reticulated services and are often far removed from townships. Development within these areas should be associated with agricultural purposes.

Rural lifestyle
There are numerous low density residential and rural living areas in the Shire. They are predominantly located in attractive rural or natural settings accessible to township services but beyond the urban fringe and away from urban growth corridors. Key characteristics of these areas include a clustering of lots between 4,000 square metres and 8 hectares, a lack of reticulated services and limited drainage. Longford is well positioned to cater for a significant proportion of the demand for rural living in the Sale area, in accordance with the Sale, Wurruk and Longford Structure Plan, 2010.

Infrastructure
Physical infrastructure includes drainage, water, waste and energy services, open space and recreation facilities, roads, pedestrian and cycle paths, railways and airfields. Most larger settlements are connected to reticulated services except for low density residential properties that operate on-site effluent disposal systems. Some rural towns, including Maffra and Yarram, have significant drainage issues and limited infrastructure.

The extent to which residents and visitors to the Shire can access human services is also important. Human services include all of those services and facilities which satisfy the basic needs of the Shire’s population and include child care, aged care, hospitals, youth services, public transport, crisis accommodation etc.

Coastal areas
There are a number of coastal settlements along the Ninety Mile Beach, the largest being the townships of Loch Sport and Port Albert.
Loch Sport’s population has declined in recent years; however its earlier growth occurred in a largely unregulated manner. It has no reticulated water infrastructure and only limited drainage facilities. The town has limited commercial and community facilities, with no recognised ‘town centre’.

There are significant environmental issues facing development of the existing township area. The soil in the town is excessively porous and little or no purification of waste effluent is achieved prior to the discharge of waste into adjacent coastal waters. Investigations have revealed evidence of groundwater contamination at Loch Sport. This is a major impediment to the growth of the town.

Port Albert is a place of special heritage significance in Gippsland. Where the other coastal townships have no suitable system for effluent disposal the resultant environmental impacts of inappropriate development are of concern. Any further expansion of urban boundaries should be subject to investigation into the impacts of such growth on the environment, the need for provision of infrastructure, and the development of necessary commercial and community facilities. The development of inappropriate subdivisions in the Coastal areas needs to be restricted and environmental constraints taken into account.

There are over 11,000 subdivided lots along the Ninety Mile Beach between Paradise Beach and the Honeysuckles, east of Seaspray. These lots occur both on the sand dunes of the Ninety Mile Beach and on the adjacent sandy soils. None of the lots are connected to reticulated water or sewerage systems.

The “Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach”, February 2007, provides a preferred settlement structure for the Wellington Coast between Paradise Beach and The Honeysuckles, as a way to encourage development that responds appropriately to environmental values and community needs, and prohibits unplanned development outside the defined settlement boundaries shown in Clause 22.08 ‘Ninety Mile Beach Policy’. Due to existing constraints and acknowledged coastal hazard risks (erosion and inundation) development is prohibited in the area outside the defined settlement nodes apart from some limited exceptions at Glomar Beach.

Seaspray is located on the sandy soils behind the primary sand dunes of the Ninety Mile Beach. The township has considerable ground water quality problems as a result of using septic systems in the past. Tourism is an important part of the town’s economy, however, the impacts of summer tourist activity on the town’s effluent management is likely to be a significant problem.

The issue of climate change, in particular potential sea level rise, is an important consideration for coastal communities in this region and is currently under investigation in other related coastal studies. The outcomes from these studies need to be considered in detail in relation to the future planning and development of coastal communities. In the interim, Council will exercise its discretion through the planning permit process to require a climate change response plan for new development in areas identified as being vulnerable to sea level rise and inundation.

The Gippsland Coastal Board and State government should continue its work in assessing climate change impacts on the coast in Gippsland together with Wellington Shire Council, other government agencies and the Gippsland coastal communities.

Settlement Objectives

- To accommodate future population growth over the next fifteen years in those settlements that can accommodate change and are expected to grow.

- To provide adequate infrastructure to existing urban settlements and to identified urban growth areas.

- To ensure that urban design and development provides for greater connectivity and amenity that encourages use of public transport services and physical activity (including walking and cycling) throughout the Shire.
To ensure all development in coastal areas has the necessary infrastructure to protect environmental values, particularly water quality of the Gippsland Lakes.

To provide rural lifestyle opportunities in appropriate locations.

To discourage major development outside existing centres other than when a genuine need has been demonstrated and there will be minimal adverse impact on the natural environment.

To promote improved sewerage infrastructure especially to coastal towns around the Gippsland Lakes and rural townships.

To provide and improve stormwater systems so that high nutrient and sediment concentrations are prevented from entering waterways and wetlands.

To protect coal related land and other assets such as airports from inappropriate encroachment by urban settlement.

To protect agricultural land from inappropriate encroachment by urban settlement.

To ensure that the aged and other members of the Wellington community with special needs (housing, medical facilities, transportation etc.) are adequately catered for.

To support and reinforce the regional role of Sale.

To avoid residential development in farming areas unless it is required for the agricultural use of the land.

21.04-3 Settlement Strategies

Urban and rural townships

Ensure that development occurs in accordance with the town strategy plans and other relevant plans included in Clauses 21.05 – 21.12.

Ensure that rezonings to residential zones only occur when it is demonstrated as necessary to satisfy housing needs within 10 – 15 years or to provide a choice of residential locations.

Encourage urban development to be consolidated within existing town boundaries and in identified urban growth areas.

Promote compact urban forms which fully utilise existing residential areas and infrastructure.

Promote the consolidation of retail, community, civic, education and other important services at key destination points that can be served by public transport and easily ‘walkable’ for the local community.

Promote urban design that encourages physical activity and promotes accessibility to public open spaces as part of a broader network of walking and cycling opportunities.

Ensure that the future development of land identified for urban growth is not compromised by inappropriate rural residential development.

Ensure future growth directions on the periphery of towns do not detrimentally affect high quality agricultural land or environmental features.

Ensure that future urban development in rural and coastal townships without adequate effluent disposal systems is contained within the perimeter of such towns.

Encourage increased housing densities and choice throughout the main townships of the Shire in areas that are close to their town centres.

Encourage infill medium density housing close to the town centres to provide greater housing choices for the town’s ageing population.

Restrict the development of towns and settlements where such development threatens water quality and ecosystem values of the Gippsland Lakes and coastline.
- Restrict the development of towns and settlements where such development is subject to flooding (including the effects of tidal flooding), or subsidence (particularly around the Gippsland Lakes).

- Restrict the development of towns and settlements where such development minimises the availability of high quality agricultural land.

- Require that development is sympathetic to the existing character and heritage of townships throughout the Shire.

- Require that the scale, height and building materials of development are in keeping with the landscape and heritage character of the townships and their surrounds.

- Encourage planning for land use and development to minimise potential conflicts between industrial and residential land uses.

- Restrict population growth and urban development in environmentally sensitive parts of the Shire, such as coastal areas.

- Restrict urban development in areas subject to flooding and fire hazard.

- Ensure that development adjacent to highways and other main traffic routes throughout the Shire is of a standard, style and overall form which reflects the importance of the area and improves the impression that development in such locations can create.

- Ensure that access to and use of highways and other main traffic routes throughout the Shire reflects the importance of these corridors to all road users, including vehicles, cyclists, pedestrians and the mobility impaired.

- Encourage the incorporation of appropriate streetscape and landscape treatments in the development of industrial areas, particularly where such sites are highly visible to the town centre and town entries.

- Provide suitable land for the development of future noxious or offensive industries such as food and animal processing industries, together with appropriate value adding industries.

- Encourage physical activity and social interaction in new residential areas through development which provides community facilities, open space, recreational activities, pedestrian and cycle paths and spaces.

- Integrate local walking and cycling paths with tourist attractions, natural destinations and other existing infrastructure where appropriate (e.g. drainage channels) to encourage low impact access that links key destinations or creates opportunities for physical activity.

- Restrict development on rural township sites incapable of treating and managing waste disposal until reticulated sewerage is installed.

**Rural lifestyle**

- Locate rural living areas in close proximity to developed settlements, to utilise existing social, cultural, and infrastructure facilities.

- Encourage rural living proposals to have regard to environmental features and constraints, in particular wastewater and effluent disposal.

- Ensure rural living activities do not reduce or adversely impact on the productive capacity of high quality agricultural land.

- Discourage dwellings in agricultural areas except where there is a clear connection between the use of the dwelling and a legitimate rural activity on the land (e.g. farming, mining, timber production, caretakers dwelling, etc.).

**Rural areas**

- Discourage subdivision and dwellings unless they are directly related to the agricultural use of the land.
Encourage the consolidation of small lots.

Maintain the right of existing farms to continue their operations without being adversely affected or constrained by residential concerns.

**Infrastructure**

- Ensure adequate effluent and stormwater discharge systems are provided in order to lessen existing and future environmental impacts from townships.

- Maintain and further develop existing open space networks and recreation systems throughout the Shire within the framework of Council’s Recreation Plan.

- Prevent high concentrations of nutrients and sediments entering waterways, wetlands and groundwater through stormwater systems.

- Discourage the discharge of wastes (particularly to areas of high conservation significance) unless it can be demonstrated that the wastes can be assimilated without detrimental effect to the receiving environment.

- Minimise development (including the construction of roads) within prominent areas such as hillsides, promontories, ridge-lines and headlands, and in fragile, unstable and flood prone areas to lessen their impacts.

- Require that tourist developments provide adequate infrastructure to treat effluent and stormwater run-off, and minimise erosion and loss of vegetation.

- Ensure that new residential developments in outlying areas provide for access to community services and facilities including taking into consideration the needs of an ageing population.

- Ensure that development provides an appropriate effluent treatment system within the boundaries of the lot.

- Ensure that cost effective infrastructure is provided for the present and future development of the Shire’s towns.

- Require that development plans achieve efficient utilisation of existing urban infrastructure.

- Require that development plans provide for re-subdivision of low density areas where they are supported with full services, including sewerage.

**Coastal areas**

- Discourage development that generates and disposes of wastewater on-site within the setback distances of waterways and/or wetlands as prescribed by the Environment Protection Authority.

- Concentrate development in existing coastal settlements with established physical, social, and economic infrastructure through infill development within existing town or settlement boundaries and restricting development distant from these settlements.

- Consider proposed major developments outside existing coastal centres only when a genuine need has been demonstrated and environmental capability adequately assessed to ensure minimal adverse impact.

- Maintain coastal settlements with little or no existing infrastructure at their present development density and confine development within zone boundaries.

- Maintain the natural condition of the coastline between settlements.

- Consolidate residential development within coastal settlement boundaries before developing new areas for residential purposes.

- Prevent unplanned development outside defined settlement boundaries in accordance with the Wellington Coast Subdivision Strategy, Clause 22.08: Ninety Mile Beach Policy.
• Ensure any further expansion of urban boundaries is subject to investigation into the impacts of such growth on the environment, the need for provision of infrastructure, and the development of necessary commercial and community facilities.

• Require all new coastal residential development or use to provide utility services.

• Encourage all new coastal residential subdivision to have lot sizes of at least 0.4 ha if reticulated sewerage cannot be provided.

• Protect sensitive or dynamic areas such as primary or secondary sand dunes, or the Lake Reeve islands by strongly discouraging new residential subdivision or development.

• Facilitate the restructuring of old and inappropriate coastal subdivisions where restructure is an appropriate strategic response and where the development of such lots will not result in significant environmental impacts.

• Ensure that use or development does not adversely impact on adjacent coastal parks.

• Ensure new buildings in coastal areas are designed to complement the identified or valued character of coastal settlements.

• Ensure development and works within a wetland are associated with the ongoing use of the land as a wetland.

• Promote coastal tourism in areas with attractive natural attributes and appropriate access and infrastructure.

• Encourage the concentration of coastal tourist and commercial recreation development in established centres.

• Consider major developments on freehold land outside existing settlements where they will not have adverse environmental and social impacts.

• Ensure tourist developments along the coastline and lakes foreshore locate on environmentally suitable sites.

• Encourage major tourism uses or developments which are not dependent on a coastal location to develop inside the main existing townships of Loch Sport and Port Albert.

• Encourage commercial facilities in coastal areas to develop within existing town boundaries, and preferably close to the ‘town centre’ where one exists.

• Encourage a diversity of commercial activity in coastal areas, particularly where it is related to environmentally sustainable tourism.

• Promote low density agricultural uses such as extensive animal husbandry in coastal areas, provided they are not detrimental to the surrounding natural environment.

• Encourage the integration of conservation and agricultural production in coastal areas.

• Promote the conservation of the locality’s natural resources through the considerations of potential impacts from proposals including farm size, productive capacity of land to sustain the rural enterprise and whether the use, development or subdivision will have an adverse impact on traditional land uses.

• Promote urban design in coastal towns that encourages physical activity and promotes accessibility to public open spaces as part of a broader network of walking and cycling opportunities.
SALE, WURRUK AND LONGFORD STRATEGIC FRAMEWORK

Vision

The Sale, Wurruk and Longford area will develop in a manner that creates prosperous, inter-connected and mutually supportive urban and rural communities that enjoy choice and diversity in housing, employment and recreation. The individual characteristics and identities of Sale, Wurruk and Longford will be protected and enhanced, as the three communities collaboratively achieve their aspirations of becoming a thriving regional centre.

The economy of the district will be strengthened by the development of the Defence sector, the expansion of the oil and gas industry and the growth of other key sectors such as health, education, recreation, tourism, retailing and general industry. The West Sale Airport and surrounding precincts will be developed as a major industrial node with access by road, rail and air. A more diversified economy will be developed, resilient to the socio-economic impacts associated with climate change.

High-quality open space and built form will characterise the Sale, Wurruk and Longford area, contributing to the health, safety, and social vibrancy of the three communities. New urban growth areas will form sustainable communities that set new benchmarks in best practice urban development. Accessible and inclusive neighbourhoods will be created which reduce the dependency on car-based travel and encourage walking and cycling. Natural and cultural features will be protected and enhanced to create a distinct character, offering the best of town and country.

Residents will benefit from a comprehensive range of community facilities and services. Convenient walking and cycling infrastructure will be made available and improved public transport networks established to provide all age cohorts with alternative non-car means of travel between and within the Sale, Wurruk and Longford communities.

The Sale CBD will be strengthened as the regional focal point for shopping, entertainment, civic and commercial activity. This will be complemented by the development of a major tourism hub at the Port of Sale, the western gateway to the Gippsland Lakes region.

The Thomson and Latrobe Rivers will be protected from development and re-vegetated where necessary to strengthen their habitat value. Other ecologically significant stands of remnant vegetation and key waterways/wetlands will also be protected as part of a wider network of linkages providing both wildlife corridors and recreation routes for walking and cycling.

Township roles

In achieving the above vision Sale, Wurruk and Longford will play the following key roles:

- Sale will build on its role as the prime service and activity node in the district, offering high-quality living, employment, shopping and recreational environments. It will be the focus for commerce, business, higher order education and tertiary employment and will provide a diversity of infill and greenfield housing opportunities.

- Wurruk will provide diversity and choice in urban and rural living housing, opportunities for the establishment of new industry and an improved range of local services and facilities. It will act as a secondary settlement and activity node to complement Sale.

- Longford will be a key focus for rural residential growth and will also provide opportunities for further residential intensification within its core and in close proximity to recreation and education facilities and the redeveloped golf course. As growth occurs, Longford will see its identity as a desirable rural lifestyle area protected and enhanced.

Regional city

Objective

To establish the wider Sale area as a thriving regional city.
Strategies

- Promote residential, commercial and industrial development in accordance with the relevant strategy plans contained in this clause.
- Facilitate the timely provision of physical infrastructure required to service new development.
- Promote culture and tourism based development within the Port of Sale cultural precinct to capitalise on the special character of the area, including the historically and architecturally significant buildings and places within and around the precinct.
- Support the growth and expansion of greyhound racing within the region including encouraging the redevelopment of the Sale Greyhound Racing Club.

21.05-4

12/05/2016
C87

Housing choice and diversity

Objective
To provide housing choice and diversity in the local market.

Strategies

- Facilitate development in Sale, Wurruk and Longford for a variety of residential densities/lot sizes, in accordance with the township roles and strategy plans contained in this clause.
- Facilitate provision for multiple development fronts that increase competition in the market.
- Support residential growth within the North Sale growth area.
- Encourage higher density residential development such as units and townhouses in strategic locations including:
  - Within a 400 metre radius of the Sale CBD.
  - Within and around the medical precinct identified in the Sale and Wurruk Strategy Plan.
  - Around existing and future neighbourhood activity centres.
  - On major transport routes.
- Facilitate residential development in the Wurrukgrowth area adjacent to the Princes Highway.
- Facilitate low density residential development in Wurruk in the area south of Arnup Road (as identified in the Sale and Wurruk Strategy Plan shown in this clause), subject to heritage investigations/considerations.
- Facilitate rural living development in Longford to build on and enhance its existing character and function.
- Promote further residential intensification of the Longford core (subject to the provision of sewerage and water infrastructure).
- Support the redevelopment of the Sale Golf Club, including the provision of housing around the golf course, subject to appropriate infrastructure and environmental measures being implemented as part of the development.

21.05-5

12/05/2016
C87

Residential development

Objective
To facilitate strategically located, well designed, sustainable and inclusive residential development.
Strategies

- Ensure holistic and considered development plans are prepared for all growth areas identified in the strategy plans shown in this Clause. These development plans should ensure that new development achieves a high level of integration with surrounding areas, constitutes a well orientated subdivision pattern, provides adequate open space and neighbourhood facilities, retains native vegetation, creates/links to key movement corridors (for cars, buses, pedestrians and cyclists), and makes holistically considered provision for drainage and other infrastructure.

- Ensure new subdivisions adopt best practice in relation to walkable neighbourhoods, provision for bus routes, water sensitive urban design and other energy efficient/sustainability initiatives.

- Promote the establishment of lower order neighbourhood activity centres (ideally inclusive of community services) in the general locations identified in the strategy plans shown in this Clause.

- Ensure rezoning of land occurs in a logical and sequential manner that has regard to:
  - The staging of infrastructure delivery. This includes the provision of water, sewer, drainage, traffic, pedestrian/cyclist and other relevant infrastructure.
  - Access to community services and facilities.
  - The general sequencing identified in the Sale, Wurruk and Longford Structure Plan.

- Encourage a range of lot sizes within new subdivisions to provide for a variety of dwelling sizes and types within the same residential areas and ensure that subdivisions are designed to support future public transport use.

- Ensure that appropriate remediation procedures are followed when considering the redevelopment of brown field sites for residential purposes.

Commercial facilities

Objective

To maintain and enhance the primacy of the Sale CBD as a municipal and regional retail and commercial hub, whilst making provision for limited commercial facilities that are strategically required outside the CBD.

Strategies

- Facilitate development in accordance with the Sale CBD Strategy Plan shown in this clause.

- Facilitate retail expansion southwards along Raymond Street to cater for future retail demand, improve the legibility of the CBD from Foster Street and enhance the connection between the Port of Sale cultural precinct and the CBD.

- Encourage the establishment of appropriately located entertainment facilities within or close to the CBD to cater for youth needs and further encourage the use of the CBD.

- Discourage the development of restricted retail premises within the retail core identified in the Sale CBD Strategy Plan. Should these be required, ensure that active frontages are provided to adjoining streets.

- Discourage the development of higher order retailing and commercial development outside the CBD, with the exception of the homemaker/bulky goods centre on Cobains Road.

- Encourage restricted retail premises to locate in the Commercial 2 Zone on the corner of Cobains Road and the Princes Highway. The use and development of this land should substantially support the establishment of a dedicated homemaker and bulky goods retail centre.

- Discourage industrial use and development from establishing in the homemaker and bulky goods retail centre on the corner of Cobains Road and the Princes Highway.
- Make provision for the northward expansion of the homemaker/bulky goods site located on the corner of Cobains Road and the Princes Highway.

- Encourage intensive commercial development on York Street (between Macarthur and Macalister Streets) in a manner that integrates well with the CBD and results in its extension onto York Street.

- Focus future office development to the south of the Sale CBD (between Reeve Street and York Street), to build a coherent office precinct benefiting from good highway access and being adjacent to CBD shops and services.

- Encourage bulky and white goods retailers such as trade supplies and furniture stores to establish/re-establish in appropriate locations, such as the identified homemaker centre on the corner of Cobains Road and the Princes Highway.

- Encourage future development/redevelopment on Cunningham Street (between York Street and Raymond Street) to occur in a manner that is conducive to pedestrian activity and the creation of a vibrant street atmosphere.

- Facilitate the establishment of small scale businesses and medium density housing north of Macalister Street, within the mixed use precinct identified in the Sale CBD Strategy Plan shown in this clause.

21.05-7

Design excellence

Objective

To promote excellence in building and landscape architecture, as well as urban design in order to enhance the image and amenity of Sale, Wurrruk and Longford.

Strategies

- Recognise and protect buildings and landmarks of heritage and cultural value.

- Encourage well designed development on York Street and Foster Street to present an improved image of Sale to passing traffic.

- Encourage all buildings within the CBD to incorporate active frontages to street edges and mid block car parks to improve pedestrian safety and amenity.

- Encourage development within the CBD to:
  - Adopt a high standard of architectural design through the use of special design features, articulation within façades, varying materials and colours, scale, contextual design responses and like measures.
  - Incorporate high quality urban design and landscape architecture, where development applications involve more than architectural design.

- Encourage the development of buildings with 2-3 storeys in the CBD, or buildings with equivalent high parapets that are well articulated and create visual interest.

- Ensure appropriate sightlines are maintained/created to celebrate iconic structure and spaces.

- Ensure new development/redevelopment achieves a good relationship with surrounding land uses, buildings, physical features and public spaces.

- Require high quality open space provision and urban design in strategic locations within growth areas and large subdivisions.

- Encourage development which contributes to the rural character of Longford.
Community services and facilities

Objective
To ensure local residents have good access to community services and facilities including health, education, social, civic, cultural, recreation, sporting and leisure.

Strategies
- Support the expansion of existing education facilities, commensurate with the needs of the education sector.
- Support the establishment of a consolidated education precinct within the North Sale growth area to cater for long term education needs.
- Facilitate the northward expansion of the Central Gippsland Health Service to ensure long term viability and enhancement of health services/training.
- Facilitate the establishment an integrated health precinct in the vicinity of the Central Gippsland Health Service by encouraging medical services and retirement/aged care housing.
- Encourage the location of multi unit development and housing for senior citizens (including retirement homes and sheltered housing) in areas with good access to the City centre, hospital, transport, open space and community and recreational activities and facilities.
- Support and encourage appropriate development within the Port of Sale cultural precinct, especially development that supports or complements the arts, entertainment, culture, tourism and recreation.
- Support the establishment of Sale as the regional headquarters for greyhound racing in eastern Victoria.

Movement network

Objective
To provide an efficient access and movement network for vehicles, pedestrians and cyclists.

Strategies
- Ensure that major developments within the Sale CBD provide adequate access and car parking facilities.
- Require development within growth areas to provide safe and convenient access links and facilities for car, bus, pedestrian and cyclist movements.
- Ensure future roads and access ways meet legislative requirements and endeavour to achieve best practice standards in catering for disabled and impaired persons.
- Enhance connections between the Sale CBD and Sale Railway Station.

Industrial development

Objective
To facilitate high quality industrial development that is appropriate in terms of location, scale, appearance and nature of industry.

Strategies
- Facilitate development in accordance with the Sale and Wurruk Strategy Plan and West Sale Industrial Strategy Plan shown in this clause.
- Facilitate the westward expansion of the existing Wurruk Industrial Estate to make provision for new industrial demand.
Establish the West Sale Airport area as an industrial precinct, whilst ensuring that current and future aerodrome functions and environmentally significant features are not adversely affected.

Facilitate the establishment of a multimodal interchange/transport and logistics hub at the West Sale Airport, commensurate with economic development initiatives and commercial interest.

Support the establishment of an industrial area for large scale industry south of the West Sale Airport and Princes Highway in the long term, unless demand arises for this to occur sooner.

Ensure future industrial development achieves high standards of design, affords appropriate buffers from sensitive uses and appropriately mitigates off-site impacts to both sensitive and non-sensitive surrounding uses.

21.05-11

**Sensitive assets**

**Objective**

To protect sensitive assets from inappropriate urban encroachment.

**Strategies**

- Implement urban/settlement growth boundaries to protect natural assets, high quality agricultural land and the operation of the East Sale Royal Australian Airforce Base from inappropriate urban encroachment.

- Encourage the retention of native vegetation in new subdivisions and redevelopment proposals.

- Ensure new development incorporates water sensitive urban design and drainage treatments that improve stormwater quality prior to disposal in natural systems.

- Ensure new subdivisions and developments are appropriately designed to minimise potential impacts on irrigation infrastructure.

21.05-12

**Implementation**

The strategies specified within this clause will be implemented through the planning scheme by:

**Policy guidelines**

- Require applications for development within the Longford growth area to be in accordance with the implementation requirements set out in the *Longford Development Plan, November 2015*.

- Require development within the Longford growth area to be in general accordance with the design requirements as set out in the *Longford Development Plan, November 2015*.

- Require that development plans are prepared prior to subdivision of greenfields sites that show the proposed layout of lots and road reservations and include infrastructure schemes that show where power, water, and sewerage will be located. These development plans will identify site advantages and constraints, main road networks and associated movement patterns, and social and community facilities.

- Planning must consider as relevant:
  - *Sale, Wurruk and Longford Structure Plan, 2010 and updates; Relocation of Sale Greyhound Racing Club Strategic Justification (NBA Group, 2014)*
  - *Sale CBD Precinct Plan, 2010*
  - *Longford Development Plan, November 2015*
  - *Infrastructure Design Manual*
  - *Wellington Open Space Strategy 2014-2024*
- Current Country Fire Authority guidelines on subdivision, group accommodation and recreation accommodation when assessing whether a development proposal adequately addresses fire safety issues.

- Healthy by Design guidelines to ensure development facilitates healthy communities through well planned networks of walking and cycling routes, streets with direct, safe and convenient access to local destinations within the Shire’s towns within easy walking distance from homes, public open space, public transport, shops and services.

**Application of policy, zones and overlays**

- Sequentially rezone land for residential and rural residential development within the growth areas of Sale, Wurruk and Longford.

- Rezone land on Raymond Street, south of Macalister Street to the Commercial 1 Zone in order to facilitate retail expansion, as shown on the Sale CBD Strategy Plan.

- Rezone land for industrial development to the west of the existing Wurruk industrial estate, subject to the provision of adequate infrastructure and access.

- Rezone land for industrial development in the vicinity of the West Sale Airport, commensurate with economic development initiatives and future demand.

- Rezone land for the northward expansion of the Commercial 2 Zone on the corner of Cobains Road and the Princes Highway, commensurate with demand.

- Apply development plan overlays to the Sale, Wurruk and Longford growth areas, where appropriate, to ensure development occurs in a manner that achieves the objectives and strategies articulated in this clause.

- Revise the design and development overlays that apply to the CBD and Princes Highway corridor in order to align development requirements with strategies specified within this clause.

- Applying appropriate zones and overlays.

- Apply **Clause 22.02 Rural Policy** in considering applications in the Farming Zone and Rural Activity Zone to protect agriculture and agricultural land.

- Apply **Clause 22.03 Heritage Policy** in considering applications covered by the Heritage Overlay or places included in the Victoria Heritage Inventory for direction as the most appropriate manner to undertake works in heritage places.

- Apply **Clause 22.04 Car Parking Policy** in considering a permit to reduce the number of parking spaces required to be provided under Clause 52.05.

- Apply **Clause 22.05 Aerodrome and Environs Policy** in considering applications on or in proximity of the East Sale RAAF Base and West Sale Airport to ensure that the safety and efficiency of aerodrome operations is not prejudiced or ensure that any detrimental effects of aircraft operations are taken into account.

- Apply **Clause 22.06 Coal Resources Policy** in considering applications within a coal resource to recognise the need to conserve and utilise the coal resource.

**Other actions**

- Liaise with Gippsland Water to gazette Longford as a sewerage and water district to facilitate future service provision.

- Liaise with relevant transport authorities to investigate a bypass route for heavy vehicles, in order to overcome local infrastructure constraints and improve trade access to the east of Sale.

- Liaise with VicTrack to determine whether potentially excess railway land can be sold. Should this prove feasible, opportunity exists to utilise the land for a transport/transit based facilities and/or business uses.
- Support the establishment of a discount department store in accordance with the Sale CBD Precinct Plan shown in this clause, should demand and opportunity arise.

- Support the relevant water authority with identification and installation of appropriate effluent disposal and/or water supply systems for unsewered settlements, focusing on priority areas identified in the Municipal Domestic Wastewater Management Plan, following confirmation of the need (on environmental and health grounds).

**Undertaking further strategic work**

- Investigate the need for a developer contributions scheme to support the provision of required physical and social infrastructure within the North Sale growth area and other growth areas, as required.

- Develop and implement an updated master plan for the Port of Sale cultural precinct.

- Undertake the preparation of a parking strategy to cater for long term needs within CBD commercial areas. Investigate the establishment of a multi-storey car park (ideally with shop frontages to the street) on the car park on Cunninghame Street (between York Street and Raymond Street) and in the vicinity of the fuel station on the corner of Cunninghame Street and Reeve Street.

- Develop planning controls to prevent development in the vicinity of the West Sale Airport that may prejudice its operation or ability to expand.

- Prepare outline development plans for the future development of residential and industrial areas that have regard to potential impacts on the natural environment and include these in a development plan overlay.

- Ensure that an infrastructure scheme involving the provision of reticulated water, sewerage and drainage is put in place around the Sale-Maffra Road, Sale to facilitate urban development.

- Review the extent and future demand for land zoned Low Density Residential and Rural Living, subject to there being a demonstrated need for such reviews.

- Prepare an Industrial Strategy for Sale with particular emphasis on the Wurruk South Industrial area.
MAFFRA STRATEGIC FRAMEWORK

Objective

To facilitate development in line with the Maffra Strategy Plan shown in this clause.

Strategies

- Ensure a sufficient supply of land is available in Maffra for residential, commercial, industrial, recreation and community uses.

- Encourage new development for residential and rural residential purposes in the Maffra district to establish in the existing residential, low density residential and rural living zoned areas adjoining and to the north and north east of the Maffra urban area.

- Ensure that detailed development plans are prepared for all future housing areas on an area wide basis not a single lot basis in order to achieve an integrated and logical pattern of uses and developments and efficient infrastructure use and provision in the areas.

- Encourage residential development in the preferred northern residential growth corridor, land(s) either side of Boisdale Street and extending northwards up to Sandy Creek Road, and, in the secondary north-east residential growth corridor, land either side of Powerscourt Street extending eastwards to Campbell Street and northwards to McAlister Street.

- Encourage and support streetscape improvement works in Johnson Street in the shopping centre area.

- Encourage development of existing industrial land as a priority.

- Encourage industrial development east of Fulton Road as noted on the strategy plan as a first phase.

- Investigate the most appropriate land use for Farming Zone land west of Fulton Road, including investigation of options for industrial uses on part of the land and retaining appropriate buffers between industrial and residential land uses.

- Ensure that detailed development plans are prepared for the future industrial areas. This must include a traffic study and drainage study resulting in an approach for Water Sensitive Urban Design (WSUD).

- Facilitate development and diversification of local vegetable processing industries where possible to ensure immediate opportunities for employment and output growth for the Maffra and Boisdale area.
Implementation

These Maffra strategies will be implemented by:

Using zones, overlays, policy and the exercise of discretion

- Applying appropriate zones and overlays.
- Applying the Special Water Supply Catchment Areas policy at Clause 22.01
- Applying the Rural policy at Clause 22.02
- Applying the Heritage policy at Clause 22.03
- Applying the Car Parking policy at Clause 22.04
- Applying the Coal Resources policy at Clause 22.06
- Applying the Coal Buffers policy at Clause 22.07
- Refer to the Country Fire Authority guidelines on subdivision, group accommodation and recreation accommodation when assessing whether a development proposal adequately addresses fire safety issues.

- Refer to the Healthy by Design guidelines to ensure development facilitates healthy communities through well planned networks of walking and cycling routes, streets with direct, safe and convenient access to local destinations within the Shire’s towns within easy walking distance from homes, public open space, public transport, shops and services.

- Require that development plans are prepared prior to subdivision of green-field sites that show the proposed layout of lots and road reservations and include infrastructure schemes that show where power, water, and sewerage will be located. These development plans will identify site advantages and constraints, main road networks and associated movement patterns, and social and community facilities.

**Other actions**

- Support the relevant water authority with identification and installation of appropriate effluent disposal and/ or water supply systems for unsewered settlements, focusing on priority areas identified in the Municipal Domestic Wastewater Management Plan, following confirmation of the need (on environmental and health grounds).

**Undertaking further strategic work**

- Prepare outline development plans for the future development of residential and industrial areas that have regard to potential impacts on the natural environment and include these in a development plan overlay.

- Investigate alternative cost effective drainage scheme options to address flooding issues in Maffra prior to any further major developments occurring that may impact upon existing and future drainage requirements for the area.

- Review the extent and future demand for land zoned Low Density Residential and Rural Living in particular areas, subject to there being a demonstrated need for such reviews.

- Investigate the existing supply and demand and locational opportunities for additional one and two bedroom households in the Maffra town centre area.

- Review the supply and demand of commercial land in Maffra on the south side of Queen Street, between Thomson Street and Foster Street, with a view to possibly rezoning some of the land to residential.

- Investigate the potential for a new road in Maffra to run north of Merry Street towards Sandy Creek Road, and for the extension of Roberts Court and Mc Adam Street to enable land to be effectively subdivided for housing purposes.


- Implement the land use planning recommendations from the “Industrial Land Strategy Yarram, Maffra and Stratford” May 2011.

- Investigate the zoning and development of industry on Public Transport Corporation land to the south of Maffra and land around the existing treatment plant.
YARRAM AND BUCKLEYS ISLAND ROAD STRATEGIC FRAMEWORK

Objectives

To facilitate development in accordance with the Yarram and Buckleys Island Road strategy plans shown in this clause.

Strategies

- Ensure that any future rezoning of land or proposed use and development in Yarram does not exacerbate existing drainage problems.

- Ensure outline development plans for land north of Hiho’s Lane and south of Rhoda Street, Yarram, manage the staging of residential development to achieve efficient infrastructure provision and avoid an oversupply of residential lots.

- Encourage the location of multi unit development and housing for senior citizens (including retirement homes and sheltered housing) in areas with good access to the town centre, hospital, and other facilities.

- Encourage development of existing industrial land as a priority.

- Encourage industrial development on the land on the corner of Church Road and Livingston Road, as noted in the strategy plan, as a first phase.

- Encourage the redevelopment of the old Murray Goulburn factory site in Commercial Road.

- Facilitate development of local timber businesses where possible to ensure immediate opportunities for employment and output growth for the Yarram area.

- Ensure that detailed development plans are prepared for all future industrial areas. This must include a traffic study and a comprehensive drainage study resulting in an approach for Water Sensitive Urban Design (WSUD).

- Provide low density residential opportunities for the Yarram area at Buckleys Island Road.

- Prior to subdivision, prepare an outline development plan for land identified on Buckleys Island Road Strategy Plan as “Low Density Residential Opportunities”, and at an appropriate time, also prepare an outline development plan for land identified on Buckleys Island Road Strategy Plan as “Possible Long Term LDRZ Expansion”, acknowledging in all outline development plans the need to extend or upgrade essential services (i.e. water and the sealing of roads etc) in this area.

- Ensure that additional off street car parking spaces are provided at the rear of the shopping centre.

- Protect the operation of the Parkside Aerodrome, Yarram and its ability to expand.
Implementation

These strategies will be implemented by:

Using zones, overlays, policy and the exercise of discretion

- Applying appropriate zones and overlays.
- Applying the *Special Water Supply Catchment Areas* policy at Clause 22.01
- Applying the *Rural* policy at Clause 22.02
- Applying the *Heritage* policy at Clause 22.03
- Applying the *Car Parking* policy at Clause 22.04
- Applying the *Aerodrome and Environs* policy at Clause 22.05
- Refer to the Country Fire Authority guidelines on subdivision, group accommodation and recreation accommodation when assessing whether a development proposal adequately addresses fire safety issues.

- Refer to the Healthy by Design guidelines to ensure development facilitates healthy communities through well planned networks of walking and cycling routes, streets with direct, safe and convenient access to local destinations within the Shire’s towns within easy walking distance from homes, public open space, public transport, shops and services.

- Require that development plans are prepared prior to subdivision of green-field sites that show the proposed layout of lots and road reservations and include infrastructure schemes that show where power, water, and sewerage will be located. These development plans will identify site advantages and constraints, main road networks and associated movement patterns, and social and community facilities.

Other actions

- Support the relevant water authority with identification and installation of appropriate effluent disposal and/or water supply systems for unsewered settlements, focusing on priority areas identified in the Municipal Domestic Wastewater Management Plan, following confirmation of the need (on environmental and health grounds).

Undertaking further strategic work

- Prepare outline development plans for the future development of residential and industrial areas that have regard to potential impacts on the natural environment and include these in a development plan overlay.

- Implement the land use planning recommendation from the “Industrial Land Strategy Yarram, Maffra and Stratford” May 2011.

- Develop planning controls to prevent development in the vicinity of the Parkside, Yarram Aerodrome that may prejudice its operation or ability to expand.

- Investigate alternative cost effective drainage scheme options to address flooding issues in Yarram prior to any further major developments occurring that may impact upon existing and future drainage requirements for the area.

- Prepare a masterplan for the Yarram urban area.

- Review the extent and future demand for land zoned Low Density Residential and Rural Living in particular areas, subject to there being a demonstrated need for such reviews.

- Review the peripheral Industrial 1 Zone land with the option of rezoning to Industrial 3 Zone.
HEYFIELD STRATEGIC FRAMEWORK

Vision
Manage the future development of Heyfield in accordance with the following vision:

"Heyfield will develop in a manner that embraces its three-fold role as a ‘timber town’, a tourist ‘gateway’ to the Alpine National Park and Lake Glenmaggie and a healthy, sustainable and enjoyable place for all residents and visitors. The town will come to be characterised by diversity in housing choice, inclusive neighbourhoods, accessible employment, high quality sporting and recreation facilities, community and social infrastructure and a town that reflects a genuine sense of community pride."

Diversity of housing choice

Objective
To facilitate housing choice that is strategically located, well designed, sustainable, inclusive and affordable.

Strategies
Encourage medium density residential development within a 400m radius of the Heyfield town centre.

Ensure that all urban development occurs within the Township Boundary before considering extensions to the boundary in the future.

Provide for appropriate rezoning of land and enable more intensive residential development within the Township Boundary where adjoining land uses have changed.

Prioritise the development of strategic infill sites (19 Weir Road, 3 Pearson Street, 9 Harbeck Street, south of River Street and land within the Township Boundary along Licola Road and Tyson Road).

Provide for residential development within the Special Use Zone 4 where it falls outside the threshold distance from the mill at 63 – 97 Firebrace Road.

Provide for well-designed and appropriately located workers accommodation within the Special Use Zone 5 and provide for residential and tourism development where it falls outside the threshold distance from the mill at 63 – 97 Firebrace Road.

Encourage opportunities to increase the supply of affordable housing, both within the private sector and in the form of social housing. Discourage clustering of social housing.

Encourage residential development, as part of a mixed use redevelopment on the west side of Temple Street, to link the two commercial centres between George Street and Harbeck Street. Residential components should be located either above or at the rear of new shops fronting Temple Street.

Encourage a range of lot sizes within new subdivisions to provide for a variety of dwelling sizes.

Ensure new development achieves high standards of urban design, architecture and landscape architecture.

Ensure holistic and considered development plans are prepared (where a development plan is required by a DPO). They should ensure that new development achieves a high level of integration with surrounding areas, constitutes a well orientated subdivision pattern, provides adequate open space and neighbourhood facilities, retains native vegetation, creates/links to key movement corridors (for cars, buses, pedestrians and cyclists), and makes holistically considered provision for drainage and other infrastructure.
Encourage environmentally sustainable development measures to be integrated into new buildings or when existing buildings are substantially retrofitted. Future development should build on the sustainability efforts that secured the 2011 United Nations World Environment Day Award.

Ensure that new residential development protects existing environmental features, including large stands of trees, native vegetation, native animal habitat and movement corridors, watercourses and drainage lines.

Encourage new subdivisions to adopt best practice in relation to walkable neighbourhoods, provision for bus routes, water sensitive urban design and other energy efficient / sustainability initiatives.

Encourage new development areas to connect with existing movement corridors where possible.

Ensure that further subdivision and development within the Lake Glenmaggie Water Supply Catchment does not detrimentally impact water quality.

Discourage the development of new residential dwellings which disrupt or restrict existing or future viable agricultural, industrial or rural activities.

Ensure that appropriate remediation investigations and procedures are undertaken as part of the development of strategic infill sites for residential purposes.

Discourage development in flood and fire prone areas.

### 21.08-3 High quality agricultural land

**Objective**

To protect high quality agricultural land and agricultural practices from urban encroachment.

**Strategies**

Ensure that sufficient land is zoned for residential purposes within the Township Boundary.

Investigate suitable industrial expansion options on the eastern side of Heyfield to prevent expansion into high quality agricultural land.

Ensure that the Macalister Irrigation District is protected from inappropriate residential development.

### 21.08-4 Environmental assets and values

**Objective**

To maintain and enhance the natural environmental assets and values.

**Strategies**

Ensure that development standards reduce environmental impacts associated with stormwater run-off and habitat loss and destruction.

Ensure the retention of native animal habitat areas.

### 21.08-5 Retail, commercial and tourism uses

**Objective**

To provide a sustainable business environment for existing and future retail, commercial, and tourism based uses.

**Strategies**

Facilitate the consolidation of the George and Temple Street commercial areas into a single commercial area.

Encourage retail expansion and some ancillary office and residential uses on the eastern side of Temple Street.
Encourage the long term expansion of the existing supermarket.
Facilitate improved signage and town entry treatments.
Encourage the development of high quality, short term workers accommodation.
Encourage development that will promote Heyfield as a “RV Friendly” location.
Promote Heyfield as the ‘tourist gateway’ to the Alpine National Park and Lake Glenmaggie.
Ensure that sufficient parking is available within the town centre to support businesses and tourism.
Ensure that land in close proximity to the Gippsland Plains Rail Trail is utilised, where appropriate, for tourist accommodation to support the use of the Gippsland Plains Rail Trail.

**Town centre character**

**Objective**
To provide a visually attractive and safe town centre that enhances the image and identity of Heyfield.

**Strategies**
Support high quality design that enhances the street life, vibrancy and appearance of the centre.
Encourage the development of core retail activity at the ground level of buildings within George and Temple Streets, with office and residential uses at upper levels.
Encourage the redevelopment of underutilised land for mixed use development.
Encourage active frontages and passive surveillance at ground level within Temple Street.
Ensure that future development within the town centre is designed to provide weather protection for pedestrians.
Support the retention of older buildings that contribute to the character of the town centre.
Discourage driveway entrances on building frontages along George and Temple Street. Access from rear and side laneways should be provided where possible.
Encourage new development on Temple Street to be designed at zero setback with the street.
Facilitate the development of a signage strategy for the town centre that will provide a suite of co-ordinated signs for information, direction and promotion.
Encourage and support streetscape improvement works in Temple Street.

**Industrial development**

**Objective**
To facilitate high quality industrial development that is appropriate in terms of location, scale, appearance and nature of industry.

**Strategies**
Encourage the retention and expansion of timber processing industries within Heyfield.
Encourage any new large-scale industries and industries with adverse amenity potential to locate east of Weir Road in the Industrial Activity Precinct.
Provide and maintain appropriate buffer treatment to land identified for future growth.
Encourage light industrial uses to remain on industrial land in Firebrace Road closest to the Heyfield town centre.
Encourage the provision of natural gas infrastructure to support business and industry.
Encourage the development of further value-adding timber industries and service industries in the town.
Protect timber processing industries by requiring sensitive activities in close proximity to provide suitable noise attenuation measures.

Community facilities

Objective
Ensure that all members of the Heyfield community have access to a range of conveniently located community facilities including; health, education, social, civic, cultural, recreation, sporting and leisure.

Strategies
Encourage the consolidation of health services within the vicinity of the existing Heyfield Hospital.
Encourage the development of retirement and aged care housing within walking distance to the Heyfield Hospital and town centre.
Facilitate opportunities throughout the township for informal social interaction, including both internal and external places.
Facilitate the consolidation of the use of Gordon Street Recreation Reserve for formal sporting activities.
Encourage the enhancement of the Heyfield Wetlands to provide passive recreation opportunities, walking, cycling and meeting places, along with tourist information for the Alpine National Park.
Facilitate the refurbishment of the Heyfield Pool in accordance with Council leisure and aquatic strategies.
Support the ongoing role of the Heyfield Golf Course in providing sport and recreational opportunities.

Access and Movement

Objective
To provide an efficient access and movement network for vehicles, pedestrians and cyclists.

Strategies
Ensure future roads and access ways meet the requirements of the Infrastructure Design Manual and endeavour to achieve best practice standards in catering for disabled and impaired persons.
Require new subdivisions to provide safe and convenient access links and facilities for car, bus, pedestrian and cyclist movements.
Ensure that the Gippsland Plains Rail Trail is accessible, safe and designed to be well connected to the existing movement network.

Infrastructure

Objective
To ensure the provision of infrastructure services to meet current and future needs.

Strategies
Encourage the sequential provision of sewerage and water infrastructure in connection with new urban areas.
Facilitate the upgrading of street lighting within the Heyfield urban area.
Implementation

The strategies for Heyfield will be implemented by:

Policy Guidelines

Planning must consider as relevant:

- *Heyfield Structure Plan, December 2011, including update; Strategic Justification Firebrace Road August 2013.*
- *Heyfield Low Density Residential Land Supply Study, March 2017*
- Current Flood Data available from West Gippsland Catchment Management Authority
- *Healthy by Design guidelines*
- *Infrastructure Design Manual*
- *Public Transport Guidelines for Land Use and Development, 2008*
- *Wellington Open Space Strategy 2014-24*
- *Wellington Heritage Study: Stage 1, May 2005*

Application of policy, zones and overlays

- Apply appropriate zones.
- Apply Clause 22.01 Special Water Supply Catchment Areas Policy in considering an application in an proclaimed water supply catchment or irrigation area.
- Apply Clause 22.02 Rural Policy in considering an application in the Farming Zone, Rural Conservation Zone and Rural Activity Zone to protect agriculture and agricultural land.
- Apply Clause 22.03 Heritage Policy in considering an application covered by the Heritage Overlay or places included in the Victoria Heritage Inventory for direction as the most appropriate manner to undertake works in heritage places.
- Apply Clause 22.04 Car Parking Policy in considering a permit to reduce the number of parking spaces required to be provided under Clause 52.06.
- Apply Clause 43.02 Design and Development Schedule 1 to industrial areas to provide well planned industrial estates.
- Apply Clause 43.02 Design and Development Schedule 8 to encourage well-designed, residential development in close proximity to industrial operations to mitigate potentially adverse off-site effects.
- Apply Clause 43.04 Development Plan Overlay Schedule 1 and 11 to “greenfield” areas to develop a physical framework plan which outlines the desired development approach including but not limited to; location of open space and necessary community facilities; access; drainage solutions based on Water Sensitive Urban Design principles; location power, water and sewerage; proposed neighbourhood character; and connections for pedestrians, cyclists and cars within the development area, to adjacent areas and key nodes in Heyfield prior to subdivision.
- Apply Clause 44.03 Floodway Overlay and Clause 44.04 Land Subject to Indundation Overlay on land identified by West Gippsland Catchment Management Authority as being flood prone to ensure that development maintains the free passage and temporary storage of floodwaters.
- Apply Clause 45.01 Public Acquisition Overlay Schedule 2 to ensure that changes to the use or development of the land do not prejudice the purpose (a road) for which the land is to be acquired.
- Apply Clause 45.03 Environmental Audit Overlay to land identified as having a potential for contamination to ensure that the land is suitable for a use which could be significantly adversely affected by any contamination.
Undertaking further strategic work

Prepare an urban design framework (the Temple Street Master Plan) to support and guide public realm treatments in the town centre.

Prepare a Heritage Review and provide appropriate statutory protection for places of heritage significance.

Support investigations for more intensive residential development within the Township Boundary - especially in the areas highlighted as “Future Urban Residential Intensification” on the Heyfield Strategy Plan.

Other actions

Liaise with landholders and government agencies to support the redevelopment of strategic infill sites to provide for housing opportunities.

Support investigations for the provision of drainage infrastructure in connection with land that is to be rezoned for further development.

Work with Parks Victoria and other stakeholders to determine the feasibility of the Heyfield Wetlands to provide a Visitor Interpretation Centre to service the Alpine National Park.

Investigate the use of Middle Oval for alternate uses (for example residential, aged care facility), as the oval is surplus to current and future community recreation needs.

Investigate the redevelopment of the saleyards site to upgrade the entrance route into Heyfield.
STRATFORD STRATEGIC FRAMEWORK

Objectives
To facilitate development in accordance with the Stratford Strategy Plan shown in this Clause.

Strategies
- Encourage development of existing industrial land as a priority
- Promote well designed industrial areas with frontage and visibility of buildings to the Princes Highway.
- Assess the suitability of the land north of Stratford – Bengworden Road for potential industrial use and rezone appropriately.
- Ensure that detailed outline development plans are prepared for all future industrial areas. This must include consideration of appropriate buffers to existing residential areas, a traffic study and drainage study resulting in an approach for Water Sensitive Urban Design (WSUD).
- Ensure that residential development to the immediate east of the existing urban area only occurs following the resolution of stormwater drainage problems in this area.
Implementation

These Stratford strategies will be implemented by:

Using zones, overlays, policy and the exercise of discretion

- Applying appropriate zones and overlays.
- Applying the Special Water Supply Catchment Areas policy at Clause 22.01
- Applying the Rural policy at Clause 22.02
- Applying the Heritage policy at Clause 22.03
- Applying the Car Parking policy at Clause 22.04
- Applying the Aerodrome and Environs policy at Clause 22.05
- Applying the Coal Resources policy at Clause 22.06
- Applying the Coal Buffers policy at Clause 22.07

Refer to the Country Fire Authority guidelines on subdivision, group accommodation and recreation accommodation when assessing whether a development proposal adequately addresses fire safety issues.

Refer to the Healthy by Design guidelines to ensure development facilitates healthy communities through well planned networks of walking and cycling routes, streets with direct, safe and convenient access to local destinations within the Shire’s towns within easy walking distance from homes, public open space, public transport, shops and services.

Require that development plans are prepared prior to subdivision of green-field sites that show the proposed layout of lots and road reservations and include infrastructure schemes that show where power, water, and sewerage will be located. These development plans will identify site advantages and constraints, main road networks and associated movement patterns, and social and community facilities.

Other actions

- Support the relevant water authority with identification and installation of appropriate effluent disposal and/or water supply systems for unsewered settlements, focusing on priority areas identified in the Municipal Domestic Wastewater Management Plan, following confirmation of the need (on environmental and health grounds).

Undertaking further strategic work

- Prepare outline development plans for the future development of residential and industrial areas that have regard to potential impacts on the natural environment and include these in a development plan overlay.

- Prepare a masterplan for the Stratford urban area.
ROSEDALE STRATEGIC FRAMEWORK

Overview
Rosedale is located on the Princes Highway between Traralgon (24 km to the west) and Sale (27 km to the east) and is serviced by the Melbourne-Bairnsdale train line. The town is bound by the Latrobe River, Blind Joes Creek and their floodplains to the east and north. Rural lifestyle lots are established to the south of the town with extensive rural views. Also to the south are the Gippsland Brown Coalfields, timber plantations and the Holeys Plains State Park.

Rosedale’s main street, Prince Street, is located on the highway and relies, apart from the local community, on passersby visiting the local shops and amenities. The strong Crown grid pattern layout with historical places scattered throughout the town and roads lined with trees on wide green road reserves significantly contribute to Rosedale’s distinctive character as a small rural town.

Key influences
Planning is to recognise Rosedale’s:

- Strong identity as a small rural town and potential to attract residents looking for a rural lifestyle while working in a regional centre such as Sale or Latrobe City.
- Position on the highway and the opportunities this creates for visitors and tourists to stop in the town.
- Potential to build on the natural assets such as the Latrobe River and Blind Joes Creek and other cultural and heritage assets.
- Accessibility to public transport (train) and a range of community services such as a primary school, library, swimming pool, kindergarten and sports clubs all of which contribute to a strong and vibrant community.
- Attractiveness for tourists and visitors due to a choice of accommodation opportunities, proximity to State and National Parks and local attractions including heritage places, specialised retail and the Rosedale Speedway.

A small rural town
Objective
To maintain and enhance Rosedale’s character as a small rural town while supporting growth.

Strategies
Recognise Rosedale’s identity as a small rural town by maintaining and enhancing the rural character which is defined by its buildings, heritage places, streets and reserves by:

- Requiring that scale, location, massing and height of new development respects and enhances the visual character of the public realm.
- Ensuring that suitable species and landscape treatments are used to reflect the landscape character and setting of the town.

Build a strong identity based on Rosedale’s heritage by conserving aboriginal and cultural heritage and preserving and enhancing Rosedale’s culturally significant places.

Minimise negative impacts on the existing environmental assets by:

- Requiring Water Sensitive Urban Design (WSUD) principles which build on existing natural environmental assets (e.g. flora and fauna habitats, water courses and drainage lines) in Rosedale.
- Providing a minimum 30m buffer on either side of Blind Joes Creek to protect it from development.
Maintain existing connections and integration of the urban areas with the surrounding landscape and existing natural environmental assets by protecting or creating views from the town to the surrounding landscape.

Require new urban development to:

- Respect the characteristics of existing nearby historical places.
- Use the existing grid pattern as a design principle for new subdivision layouts.
- Provide housing frontages to face open spaces and green reserves, where possible.

Require new development in rural areas to:

- Respond to the topography and embrace views from the surrounding land.
- Provide an appropriate interface between proposed development and adjoining rural and industrial areas to ensure minimal impacts on existing activities.

### A highway town

**Objective**

To strengthen Rosedale’s identity as a highway town by celebrating its role as the western gateway to the heart of Gippsland.

**Strategies**

Create a good first impression of the town when people arrive in Rosedale by:

- Providing a high quality, attractive and visitor friendly urban environment on the highway and at arrival points that will encourage travellers to stop and spend time in Rosedale.
- Retaining and enhancing the historic places on the highway to provide a strong sense of place and character.
- Reinforcing the local identity of Prince Street through consistent streetscape treatment including street furniture and urban art.

Improve parking, particularly long vehicle parking for trucks and RVs (including boats and caravans) to encourage people to stop in Rosedale.

Develop an improved western town approach through:

- Upgraded landscape treatment and signage around Blind Joes Creek.
- Encouraging “sustainable” tourism uses within the rural activity area north of the highway.

Develop an improved eastern town approach through:

- Upgraded landscape treatment and signage that responds to the significant views.
- Enhancing and improving facilities in Willow Park.

Acknowledge the location of Rosedale on Victoria’s Principal Freight Network (PFN) and National Transport Network.

### A connected town

**Objective**

To create a healthy, active and liveable community through the provision of a safe walking and cycling network which connects residential areas, key nodes and heritage, cultural and landscape assets.
Strategies
Create a walking and cycling path network that connects and allows for safe movement between residential areas, recreation areas and key nodes within Rosedale by:

- Improving the safety and ease of accessing and crossing Prince Street.
- Using creeks (including the Blind Joes Creek corridor) and floodplains to provide physical walking and cycling connections between Rosedale and the surrounding area.
- Supporting improvements to create direct access between Cansick Street and the railway station.

Require that future roads and access ways meet the requirements of the Infrastructure Design Manual.

Provide a high level of connectivity between new residential development, the existing Rosedale town centre and natural corridors by all modes of transport.

Provide safe walking and cycling connections between existing rural living areas, new rural living areas and the urban areas.

21.10-6

A strong and vibrant community

Objective
To strengthen the local economy and create a vibrant town centre with a unique sense of place.

Strategies
Provide for a range of retail, commercial, community and visitor based business in Rosedale by:

- Encouraging a mix of uses with a focus on retail, commercial and visitor facilities in the CBD with a variety of floor spaces to promote diversity in occupancies.
- Encouraging a mix of residential, community, cultural, commercial uses and specialised retail in the Railway Precinct, while discouraging industrial uses.
- Encouraging community uses in Hood Street in order to create a connection between Prince Street and the Railway Precinct.
- Encouraging long term growth of retail and commercial uses along Prince Street in a westerly direction; on the northern side of Albert Street between Hood Street and Lyons Street; and along Hood Street.

Support opportunities for the establishment of new industries on existing vacant land while recognising the potential flood impacts and amenity issues.

Create a vibrant town centre by activating public space through:

- Supporting a mix of retail, commercial and community uses in combination with residential use.
- Encouraging informal seating in public areas.
- Encouraging zero setbacks (except for existing heritage places) for retail and commercial frontages with clearly defined entrances that address the street or public spaces.

21.10-7

Diversity of housing choice

Objective
To improve housing choice and diversity and ensure a sufficient land supply.

Strategies
Facilitate development in accordance with the Rosedale Strategy Plan.
Provide for a range of lot sizes which take into account:

- Lot densities which respect existing lot sizes and the connected lifestyle character of Rosedale (existing average urban lot size is 800m²).
- Unsewered lots which need to be of a sufficient size to accommodate on-site sewerage treatment.

Support opportunities for retirement living.

Facilitate future growth while minimising encroachment of development into floodplains and protecting communities from flooding.

Provide opportunities for sufficient growth for Rosedale’s urban area by:

- Supporting and prioritising the residential development of infill sites.
- Facilitating residential development of the vacant broad acre land to the east of the town (Mill Lane) as a priority.
- Facilitating new residential development between Moore Street, Rosedale-Flynns Creek Road, Cricket Street and Blind Joes Creek, subject to the outcome of the Rosedale Flood Study and West Gippsland Management Catchment Authority consent.
- Facilitating new low density residential development on Rosedale-Flynns Creek Road north of the railway line, subject to the outcome of the Rosedale Flood Study and West Gippsland Management Catchment Authority consent.
- Supporting subdivision of Low Density Residential Zoned land within the Rosedale Urban Area (north of the railway line) where reticulated sewerage can be provided to smaller lot sizes.
- Supporting long term residential development opportunities to the west of Blind Joes Creek and east of Mill Lane.

Provide opportunities for sufficient growth for Rosedale’s rural area by:

- Supporting the development of existing vacant Low Density Residential Land on Williams Road while respecting the rural character and connected rural lifestyle on bigger lots.
- Supporting the development of land bound by Williams Road, Willung Road, Hoopers Road and Friends Road for rural lifestyle living.
- Supporting the long term intensification of land to the west of Rosedale-Flynns Creek Road outside the coal buffer and to the east of Willung Road.

### Implementation

The Rosedale strategies will be implemented through the planning scheme by:

#### Policy guidelines

Planning must consider as relevant:

- Current Flood Data available from West Gippsland Catchment Management Authority
- Healthy by Design guidelines
- Infrastructure Design Manual
- Public Transport Guidelines for Land Use and Development, 2008
- Wellington Open Space Strategy 2014-24
- Wellington Heritage Study: Stage 1, May 2005
Application of policy, zones and overlays

- Apply Clause 22.02 Rural Policy in considering applications in the Farming Zone and Rural Activity Zone to protect agriculture and agricultural land.
- Apply Clause 22.03 Heritage Policy in considering applications covered by the Heritage Overlay or places included in the Victoria Heritage Inventory for direction as the most appropriate manner to undertake works in heritage places.
- Apply Clause 22.04 Car Parking Policy in considering a permit to reduce the number of parking spaces required to be provided under Clause 52.06.
- Apply Clause 22.07 Coal Buffers Policy in considering applications covered by the Urban and Construction Buffer (ESO3) to ensure that the use, development and management of land mutually protects urban amenity and coal resource development.
- Apply Clause 42.01 Environment Significance Overlay Schedule 3 where an appropriate buffer to the Gippsland Brown Coalfields needs to be taken into account to ensure that the use, development and management of land mutually protects urban amenity and coal resource development.
- Apply Clause 43.01 Heritage Overlay to land identified having heritage significance to conserve and enhance heritage places.
- Apply Clause 43.02 Design and Development Schedule 1 to industrial areas to provide well planned industrial estates.
- Apply Clause 43.04 Development Plan Overlay Schedule 1 and 8 to “greenfield” areas to develop a physical framework plan which outlines the desired development approach including but not limited to; location of open space and necessary community facilities; access; drainage solution based on Water Sensitive Urban Design principles; location power, water and sewerage; proposed neighbourhood character; and connections for pedestrians, cyclists and cars within the development area, to adjacent areas and key nodes in Rosedale prior to subdivision.
- Apply Clause 44.03 Floodway Overlay and Clause 44.04 Land Subject to Inundation Overlay on land identified by West Gippsland Catchment Management Authority as being flood prone to ensure that development maintains the free passage and temporary storage of floodwaters.
- Apply Clause 45.01 Public Acquisition Overlay Schedule 2 to ensure that changes to the use or development of the land do not prejudice the purpose (a road) for which the land is to be acquired.
- Apply Clause 45.03 Environmental Audit Overlay to land identified as having a potential for contamination to ensure that the land is suitable for a use which could be significantly adversely affected by any contamination.

Undertaking further strategic work

Implement the outcome of the Rosedale Flood Study by updating the Land Subject to Inundation Overlay, Flood Overlay and determine which areas are appropriate for residential and industrial development.

Investigate the opportunities for a sufficient supply of industrial land.

Prepare a master plan for the area that includes the Rosedale Leather factory, the eastern industrial precinct and the Farming Zone land in between these industrial parcels of land that would define the vision, design intent, location, subdivision and potential uses.

Prepare master plans for the CBD and Railway Precinct to provide a level of detail that would provide direct long term development opportunities and public realm treatment.
SMALL SETTLEMENTS STRATEGIC FRAMEWORK

Alberton

Vision

Manage future development in accordance with the following vision:

“Alberton will develop in a manner that respects and enhances its rural residential character.”

Development will be sustainable and recognise the environmental constraints within the township and its adjoining areas, particularly flooding, high water table, Ramsar wetlands, agricultural land and coal resources.”

Buildings and subdivision will be of a design that reflects the existing rural residential character and open nature of the township.”

Objective 1

To protect and enhance the character and environment of Alberton and its surrounds.

Strategies

- Encourage well designed development that respects the historic building stock and surrounding landscape.
- Ensure development density and subdivision is limited to an appropriate size to protect township character.
- Avoid development which has the potential to adversely impact on the Corner Inlet Ramsar Wetlands and the surrounding Albert River, Jack River and Tarra River.
- Ensure Aboriginal cultural heritage sites are not adversely impacted by developments.

Objective 2

To ensure that development is appropriately located and occurs in a sustainable and orderly manner.

Strategies

- Contain urban development within the defined settlement boundary.
- Limit residential development to the Township Zone and, subject to a review of suitable zoning, retain surrounding land within the Farming Zone.

Objective 3

To ensure that development is provided with appropriate standard of infrastructure.

Strategies

- Ensure appropriate provision is made by development proponents for servicing infrastructure.
Briagolong

Objective
To facilitate development in accordance with the Briagolong Strategy Plan shown in this Clause.

Strategies
- Promote the development of ‘cottage’ based tourism, particularly along the main roads of the town and subject to such development being compatible with the amenity and character of the locality.
- Ensure that no new housing is constructed in or around the town unless it can be demonstrated that effluent can be adequately treated and contained on site and stormwater runoff is discharged in a manner which minimises impacts on the receiving environment.
Dargo and Licola

Objective

To maintain the mountain village character of Dargo and Licola.
Strategies

- Promote the significant potential for the development of tourism in and around Dargo and Licola.
- Encourage further expansion of Licola where such development can be adequately serviced and will have a minimal impact on the environment, particularly the water quality in the Macalister River.
- Ensure that all development is sited and designed in a manner which responds to the ‘mountain village’ character of the towns.

Implementation

These strategies for Alberton, Briagolong, Dargo and Licola will be implemented by:

Using zones, overlays, policy and the exercise of discretion

- Applying appropriate zones and overlays.
- Applying the Special Water Supply Catchment Areas policy at Clause 22.01
- Applying the Rural policy at Clause 22.02
- Applying the Heritage policy at Clause 22.03
- Applying the Car Parking policy at Clause 22.04
- Applying the Aerodrome and Environs policy at Clause 22.05
- Applying the Coal Resources policy at Clause 22.06
- Applying the Coal Buffers policy at Clause 22.07
- Refer to the Country Fire Authority guidelines on subdivision, group accommodation and recreation accommodation when assessing whether a development proposal adequately addresses fire safety issues.
- Refer to the Healthy by Design guidelines to ensure development facilitates healthy communities through well planned networks of walking and cycling routes, streets with direct, safe and convenient access to local destinations within the Shire’s towns within easy walking distance from homes, public open space, public transport, shops and services.
- Require that development plans are prepared prior to subdivision of green-field sites that show the proposed layout of lots and road reservations and include infrastructure schemes that show where power, water, and sewerage will be located. These development plans will identify site advantages and constraints, main road networks and associated movement patterns, and social and community facilities.

Other actions

- Support the relevant water authority with identification and installation of appropriate effluent disposal and/or water supply systems for unsewered settlements, focusing on priority areas identified in the Municipal Domestic Wastewater Management Plan, following confirmation of the need (on environmental and health grounds).

Undertaking further strategic work

- Prepare outline development plans for the future development of residential and industrial areas that have regard to potential impacts on the natural environment and include these in a development plan overlay.
- Review future strategic directions for land use in the vicinity of the township of Licola.
- Review the extent and future demand for land zoned Low Density Residential and Rural Living, subject to there being a demonstrated need for such review.
COASTAL AREAS STRATEGIC FRAMEWORK

Loch Sport

Vision
Manage the future development of Loch Sport in accordance with the following vision:

- “Loch Sport will be a major and central Gippsland Lakes settlement and key boating node, attractive to both permanent residents and visitors.”
- “The town will consolidate within its boundaries and new buildings will contribute to the streetscape and respect the coastal character and environment of Loch Sport.”
- “The town centre will become a focus for the community and will be linked through to the main access spine of the town. Excellent walking and cycling opportunities will exist throughout the settlement, which will particularly capitalise on the natural beauty of the lake foreshores.”
- “Development will be sustainable and recognise the environmental constraints of the area, particularly known bushfire risks.”
- “Enhanced boating facilities will be available, the recreation reserve will function more effectively and there will be activities and destinations for visitors throughout Loch Sport, including links to the National Parks, which will stimulate the economic and social life of the town.”

Objective 1
To create a town centre that provides a focus for the community.

Strategies
- Develop effective public spaces within the town centre to provide for passive recreation.
- Define the major access route as the central spine of the town.

Objective 2
To minimise the environmental impacts of development.

Strategies
- Ensure development is sustainable and appropriately recognises local environmental constraints, particularly fire risk.
- Avoid the removal of coast banksia.
- Ensure that any new residential lots created within the town of Loch Sport are serviced with reticulated sewerage and water.

Objective 3
To improve the design and siting of buildings.

Strategies
- Ensure a mechanism in the planning scheme will allow for the use of these guidelines to assess planning permit applications.
- Ensure the design and siting of buildings respects the unique character of Loch Sport with regard to vegetation clearance, site disturbance, building height, colours and materials and fencing.

Objective 4
To enhance the town’s role as a boating centre.
**Strategies**

- Support facilities that promote boating visitation to Loch Sport from other boating centres in the Gippsland Lakes network.

**Objective 5**

To contain urban development within defined settlement boundaries.

**Strategies**

- Facilitate development in accordance with the Loch Sport Coastal Settlement Boundary Plan shown in this clause and consider any relevant coastal hazard vulnerability assessment for the town.
- Encourage further business uses to locate in the Commercial 1 Zone area around Second Street subject to the provision of reticulated services.
- Encourage medium density residential development in proximity to the town centre, subject to the provision of reticulated services.
- Allow other Commercial 1 Zone areas throughout the town to retain a local neighbourhood convenience service role.
Golden Beach/Paradise Beach

Vision

Manage the future development of Golden Beach/Paradise Beach in accordance with the following vision:

- “Golden Beach/Paradise Beach will develop as a residential holiday township, set in coastal bushland.”
- “Buildings will be of high quality and reflect the coastal environment through the use of materials, colours and building styles.”
- “The settlement will have an active ‘village centre’, which will be a focal point for the community with high quality public spaces and commercial uses for local and visitor needs.”
- “Development will be sustainable and recognise the environmental constraints of the area, particularly known bushfire risks.”
“The town will be further developed as an important node for the Shire.”

**Objective 1**

To create a functional town centre.

**Strategies**

- Facilitate the establishment of a mixed use development area based around a village square (corner Surf Edge Drive and Shoreline Drive) that would include commercial, community and residential uses when a reticulated sewerage system is available.

- Provide for commercial development in the town centre with a Commercial 1 Zone when a reticulated sewerage system is available.

**Objective 2**

To improve town character.

**Strategies**

- Upgrade Shoreline Drive/town entry from Seaspray.

- Ensure the design and siting of buildings respects the unique character of Golden Beach/Paradise Beach.

- Ensure the design and siting of buildings minimises native vegetation removal.

**Objective 3**

To contain urban development within defined settlement boundaries.

**Strategies**

- Facilitate development in accordance with the Golden Beach/Paradise Beach Coastal Settlement Boundary Plan shown in this Clause and consider any relevant coastal hazard vulnerability assessment for the town.

- Ensure sustainable development and appropriate recognition of local environmental constraints, particularly bushfire risk.
Objective 1
To facilitate development in accordance with the Ninety Mile Beach Policy included in clause 22.08.

Strategies
- Ensure that urban development occurs in the urban nodes of Paradise Beach, Golden Beach, Delray Beach, and at The Honeysuckles, in locations within the settlement boundaries as defined on the Ninety Mile Beach Policy in Clause 22.08, and is provided with reticulated services to a residential standard.
- Promote low density residential development on land at Delray Beach and Paradise Beach, in locations within the settlement boundaries as defined on the Ninety Mile Beach Policy, and ensure that development is provided with reticulated services to an appropriate standard.
- Limit development in Glomar Beach to:
  - completed restructure lots, in locations as defined on the Ninety Mile Beach Policy Plan; and
  - locations that are not vulnerable to environmental impacts.
Objective 2
To protect and enhance the environment and character of the area between Golden Beach and The Honeysuckles.

Strategies
- Ensure that urban development primarily occurs in the townships of Paradise Beach, Golden Beach, and at The Honeysuckles and is provided with reticulated services.
- Strongly discourage development on the Lake Reeve islands, and other areas subject to flooding and environmental constraints.
- Ensure that development on lots with frontage to Shoreline Drive is setback at least 10 metres from the front boundary, in recognition of the natural character of the area.

The Honeysuckles

Vision
Manage the future development of The Honeysuckles in accordance with the following vision:

- “The Honeysuckles will develop as a low density residential holiday hamlet, set in banksia woodland.”
- “Buildings will be of high quality but of simple design and reflect the coastal environment through the use of materials, colours and building styles.”
- “Development will be sustainable and recognise the environmental constraints of the area, particularly known bushfire risks.”
- “Pedestrian movement throughout the settlement is safe with a shared use pathway provided to Seaspray.”

Objective 1
To protect and enhance the coastal character of the settlement.

Strategies
- Ensure development is consistent with the particular character of The Honeysuckles.
- Ensure that new development provides for the retention of coast banksia in the siting of buildings and public works construction.
- Maintain an informal road network and streetscape.
- Encourage local indigenous tree planting in association with new development.
- Reinforce the natural landscape setting in development of public areas.

Objective 2
To contain urban development within defined settlement boundaries.

Strategies
- Facilitate development in accordance with The Honeysuckles Coastal Settlement Boundary Plan as shown in this Clause and consider any relevant coastal hazard vulnerability assessment for the town.
- Ensure sustainable development and appropriate recognition of local environmental constraints, particularly fire risk.
Seaspray

Vision

Manage the future development of Seaspray in accordance with the following vision:

- “Seaspray will retain its character as a holiday and residential village tucked behind the dunes on the Ninety Mile Beach. It will have excellent parks, picnic areas and facilities for holidaymakers staying in the settlement and day visitors from Sale and surrounding areas.”
- Seaspray’s streets will be tree lined, with good walking and cycle paths. New buildings will reflect the ‘coastal village’ setting and history of the settlement and the character of older areas will be respected.”
- “The main activity area, the foreshore, will be conveniently and safely accessed on foot and will be enhanced and linked to a village focal point with a limited range of commercial facilities, open space and public amenities.”

Objective 1

To maintain and enhance the existing character of Seaspray.

Strategies

- Ensure development respects the unique character of the older parts of Seaspray.
- Develop the foreshore as an attractive and functional recreational area for residents and visitors.
- Preserve and enhance the coastal dune systems.

**Objective 2**
To contain urban development within defined settlement boundaries.

**Strategies**
- Facilitate development in accordance with the Seaspray Coastal Settlement Boundary Plan as shown in this Clause and consider any relevant coastal hazard vulnerability assessment for the town.
- Provide for limited expansion of the town to the west of Davies Street and Ellen Avenue subject to a detailed flood risk assessment of this area.
- Constrain further low density development on the edge of the settlement to the existing Low Density Residential Zone area.
- Minimise the visual impact of future development in the Low Density Residential Zone area.
Woodside Beach

Vision

Manage the future development of Woodside Beach in accordance with the following vision:

- “As Woodside Beach grows it will retain its character as a holiday hamlet at the western end of the Ninety Mile Beach. It will be a desirable destination for visitors from Woodside, Yarram and the surrounding region.”

- “The natural environmental setting will be protected, streets will be leafy and buildings will reflect the ‘coastal village’ character of the hamlet.”

- “The main activity focus of the settlement, the foreshore, will be easily accessed on foot and will be enhanced as an attractive destination with community facilities.”
Objective 1
To protect the natural setting and retain and enhance the character of the settlement.

Strategies
- Ensure the protection of indigenous vegetation in new development areas and in relation to all redevelopment/upgrade proposals.

Objective 2
To enhance the foreshore as a settlement focus whilst containing urban development within defined settlement boundaries.

Strategies
- Facilitate development in accordance with the Woodside Beach Coastal Settlement Boundary Plan shown in this Clause and consider any relevant coastal hazard vulnerability assessment for the town.
- Ensure the development of the vacant Township Zone land is based on a comprehensive outline plan, estate landscaping, provision for stormwater management and connection to a package sewerage treatment plant.
- Contain residential development to the existing zoned areas.
Coastal Settlement Boundary Plan

Vision
Manage the future development of McLoughlins Beach in accordance with the following vision:

- “McLoughlins Beach will develop as a seaside holiday village and a key regional boating access point for the waters of the Ninety Mile Beach and Nooramunga Marine and Coastal Park.
- Residential streets will be attractive, incorporate landscaping and provide for safe pedestrian movement.
- Development will be sustainable and recognise the environmental constraints of the area, particularly known flooding risks and coastal vulnerability.
- The importance of the area for boating and recreational fishing will be recognised with the provision of appropriate facilities.
The foreshore will provide a focal point for the community and contain high quality facilities for residents and visitors. A pathway network will give safe access to key destinations around the village.”

**Objective 1**
To upgrade the appearance of the settlement and function of the locality to provide boating access on a regional basis.

**Strategies**
- Upgrade the settlement foreshore area and improve the landside and boating facilities and amenities.

**Objective 2**
To contain urban development within defined settlement boundaries.

**Strategies**
- Facilitate development in accordance with the McLoughlins Beach Coastal settlement Boundary Plan shown in this Clause and consider any relevant coastal hazard vulnerability assessment for the town.
- Contain the settlement within the existing area subject to a detailed assessment of those areas (generally west of Seaward Street) with potential environmental value or hazard.
Vision

Manage the future development of Manns Beach in accordance with the following vision:

- “Manns Beach will retain its character as a small, remote holiday hamlet, bordered by the Nooramunga Marine and Coastal Park and with excellent access to local islands and inlets.
- It will retain a strong recreational fishing focus for residents and the surrounding area with attractive and functional foreshore facilities.
- Buildings will improve over time, but retain the ‘coastal cottage’ character. The foreshore will be easily accessed on foot and will be enhanced as a community hub.
- Development will be sustainable and recognise the environmental constraints of the area, particularly flooding risks and coastal vulnerability.”
**Objective 1**

To upgrade the appearance and function of the settlement.

**Strategies**

- Contain urban development within defined settlement boundaries.
- Facilitate development in accordance with the Manns Beach Coastal Settlement Boundary Plan shown in this Clause and consider any relevant coastal hazard vulnerability assessment for the town.
- Contain the settlement within the existing developed area.

**Coastal Settlement Boundary Plan**

[Map of Coastal Settlement Boundary Plan]

**Key:**

- Settlement Boundary
- Extent of Existing Urban Zoned Land

**COASTAL SETTLEMENT BOUNDARY PLAN**

**MANNS BEACH**

**Robertsons Beach**

**Vision**

Manage the future development of Robertsons Beach in accordance with the following vision:
Robertsons Beach will retain its character as a contained residential and holiday hamlet, bordered by the Nooramunga Marine and Coastal Park.

It will have facilities for small boat use, and provide attractive areas on the foreshore for residents and day visitors.

Buildings will remain low key but will improve in quality over time, while still reflecting the ‘coastal village’ character of the hamlet.

The main focus of the settlement, the foreshore, will be easily accessed on foot and pathways will provide links to the adjoining natural areas.

Development will be sustainable and recognise the environmental constraints of the area, particularly flooding risks and coastal vulnerability.”

Objective 1
To protect and enhance the character and environment of Robertsons Beach.

Strategies
- Ensure the retention of natural vegetation areas within the settlement and on the Farming Zoned land to the north.
- Identify and protect significant Aboriginal cultural heritage sites adjacent to the pathway network.
- Improve the appearance and function of the foreshore area.

Objective 2
To contain urban development within defined settlement boundaries

Strategies
- Facilitate development in accordance with the Robertsons Beach Coastal Settlement Boundary Plan shown in this Clause and consider any relevant coastal hazard vulnerability assessment for the town.
- Limit residential development to the existing Township Zone and subject to a review of suitable zoning for Illawong Lodge, retain the Farming Zone to the north.
- Limit commercial and other land uses within the settlement and adjoining land to self contained tourist accommodation facilities.
Port Albert & Palmerston

Objective
To protect and enhance the character and environment of Port Albert and provide a sustainable business environment for existing and future retail, commercial and tourism based uses.

Strategies
- Encourage modest expansion of commercial activity within the Port Albert town.
- Encourage those activities which cater for the needs of the town’s growing permanent and tourist populations.
- Encourage tourism development which responds to the town’s environmental constraints and special character.
- Ensure that urban development occurs in stages that can be appropriately serviced.
- Ensure that development is sympathetic to the heritage/character qualities of the town.
- Encourage major tourism uses or developments which are not dependent on a coastal location to develop within the main existing townships of Loch Sport and Port Albert.

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Implementation
The strategies for Loch Sport, Golden Beach / Paradise Beach, Ninety Mile Beach between Golden Beach and The Honeysuckles, The Honeysuckles, Seaspray, Woodside Beach, McLoughlins Beach, Manns Beach, Robertsons Beach, Port Albert and Palmerston will be implemented by:

Using zones, overlays, policy and the exercise of discretion
Applying appropriate zones and overlays.
Applying the Special Water Supply Catchment Areas policy at Clause 22.01
Applying the Rural policy at Clause 22.02
Applying the Heritage policy at Clause 22.03
Applying the Car Parking policy at Clause 22.04
Applying the Aerodrome and Environs policy at Clause 22.05
Applying the Coal Resources policy at Clause 22.06
Applying the Coal Buffers policy at Clause 22.07
Applying the Ninety Mile Beach policy at Clause 22.08
Applying the Design & Development Overlay Schedule at Clause 43.02 for the coastal town of Port Albert.
Applying the Design & Development Overlay Schedule at Clause 43.02 to the coastal towns of Loch Sport, Golden Beach/Paradise Beach, The Honeysuckles, Seaspray, Woodside Beach, McLoughlins Beach, Manns Beach, and Robertsons Beach.

Refer to the Country Fire Authority guidelines on subdivision, group accommodation and recreation accommodation when assessing whether a development proposal adequately addresses fire safety issues.

Refer to the Healthy by Design guidelines to ensure development facilitates healthy communities through well planned networks of walking and cycling routes, streets with direct, safe and convenient access to local destinations within the Shire’s towns within easy walking distance from homes, public open space, public transport, shops and services.

Require that development plans are prepared prior to subdivision of green-field sites that show the proposed layout of lots and road reservations and include infrastructure schemes that show where power, water, and sewerage will be located. These development plans will identify site advantages and constraints, main road networks and associated movement patterns, and social and community facilities.

Implement any relevant coastal action plan.

Other actions
Support the relevant water authority with identification and installation of appropriate effluent disposal and/or water supply systems for unsewered settlements, focusing on priority areas identified in the Municipal Domestic Wastewater Management Plan, following confirmation of the need (on environmental and health grounds).
**Undertaking further strategic work**

Prepare outline development plans for the future development of residential and industrial areas that have regard to potential impacts on the natural environment and include these in a development plan overlay.

Provide a set of design guidelines applicable to the unique character of Loch Sport that address in particular, vegetation clearance, site disturbance, building height, colours and materials and fencing.

Review the extent and future demand for land zoned Low Density Residential and Rural Living in particular areas, subject to there being a demonstrated need for such reviews.

Prepare an Industrial Strategy for Sale with particular emphasis on the Wurruk South Industrial area.

Investigate the appropriate extent of the Heritage Overlay (HO34) in Port Albert in conjunction with a review of the Port Albert Conservation Study, 1982.

Review the Port Albert Drainage Study, 1983 to determine the feasibility of introducing an appropriate overlay.

Review and then implement the recommendations of the draft UDF Master Plans prepared for the coastal towns of Loch Sport, Golden Beach/Paradise Beach, The Honeysuckles, Seaspray, Woodside Beach, McLoughlins Beach, Manns Beach, and Robertson Beach.

Maintain the existing Township Zone in McLoughlins Beach and consider for inclusion land in the Farming Zone to the north of Tallamy Street and land accessed from Edwina Street and Janette Street. Proposals to rezone this land should be supported by a detailed environmental assessment and a flood risk assessment.

Review the Farming Zone area to the north west of Davies Street and Ellen Avenue in Seaspray and consider rezoning to Township Zone subject to the outcome of a detailed flood risk evaluation of this land.

Review future zoning and overlay provisions for Golden Beach/Paradise Beach and The Honeysuckles as part of the implementation of the Wellington Coast Subdivision Strategy.
Overview

Rural and Natural Landscapes

The Shire’s rural areas contain some of the most ecologically important and diverse areas in the State. These have high intrinsic natural values and are a significant factor in attracting people to reside and visit the Shire. There are significant environmental landscape issues facing the Shire’s rural areas, including inappropriate residential development and the protection of vegetation habitat. Infrastructure development can have significant detrimental effects on the landscape. The rural amenity of the Shire is an asset which warrants protection. Residents and tourists derive pleasure from the scenic values of the rural landscapes. Even the highly modified areas of the Shire possess high landscape values. The Macalister Irrigation District, with its picturesque, green irrigated dairy country set against the foothills of the Great Dividing Range is an excellent example of the region’s aesthetic assets.

Objective 1

To protect, improve and sustainably manage the Shire’s natural environment and diverse landscapes.

Strategies

- Promote the use of appropriate building materials, the retention of native vegetation and revegetation that enhance the scenic landscapes of the Shire’s rural areas.
- Discourage residential development and associated uses in areas which have high agricultural value, environmental and/or scenic significance, or are near main landfill sites.
- Consider the impacts of timber production activities on public and private land on the surrounding landscape.
- Locate and design activities such as abattoirs and intensive animal husbandry to minimise environmental damage and loss of amenity to surrounding areas taking into account matters such as effluent control, odour, noise, soil compaction, erosion and protection of water quality.

Objective 2

To recognise the visual, landscape and recreational importance of the Gippsland Lakes and coastal environment to the region.

Strategy

- Protect locally significant views and vistas that contribute to the character of coastal and coastal hinterland areas.
- Minimise the visual impact of signage and infrastructure, particularly adjacent to the Gippsland Lakes or Ninety Mile Beach or areas of high visibility.

Biodiversity

The recognition and management of remnant native vegetation on both public and private land is important in the protection of species. Development of land adjacent to State and National Parks should take into account the potential impacts upon these areas.

In agricultural landscapes native vegetation has largely been cleared, resulting in many of the area’s native species and communities being listed as highly significant and threatened (Federal and State legislation) including the Gippsland Red Gum Grassy Woodland vegetation community. Remnant native vegetation in agricultural landscapes form important biolinks between the Australian Alps National Parks and Reserves, the Gippsland Lakes, Ninety Mile Beach, the Strezelecki Ranges and Nooramunga Inlet. These biolinks are important for species migration and are threatened by changes in climate and the clearing of native vegetation.
Objective 1
To protect biodiversity, including important natural landscapes, endangered flora and fauna species and indigenous vegetation on public and private land.

Strategy
- Recognise and protect native flora and fauna and maintain biological diversity within the Shire, particularly in alpine, coastal, and wetland systems.

Objective 2
To retain native vegetation on private land, Crown land, declared water stream-side reserves and roadsides.

Strategies
- Encourage revegetation programs to use indigenous species.
- Encourage the retention of appropriate vegetation and fauna habitat in new development.
- Ensure the need for removal of native vegetation is minimised through the appropriate siting of dwellings in rural areas.

Objective 3
To recognise the ecological importance of the Gippsland Lakes and coastal environment to the region.

Strategy
- Encourage the revegetation of riparian buffers along waterways, gullies, ridge-lines, property boundaries, and recharge areas.

Coastal Landscape Character and Significance
The Coastal Spaces Landscape Assessment Study (2006) identifies landscape character areas as shown on the map below.
The Ninety Mile Beach and the Gippsland Lakes coastal landscapes within the Shire are of State significance. The Ninety Mile Beach coastal landscape is protected by the Significant Landscape Overlay. When considering planning permit applications for development in coastal areas specific strategies and objectives apply to the Ninety Mile Beach Character Area shown as Area 6.2. For other coastal landscapes, the general objectives and strategies should be considered.
Objective 1
To ensure that coastal related development responds appropriately to the landscape setting and character.

Strategies
- Minimise the impacts of development and human activity on the ecological values of the coast and around the Gippsland Lakes.

Edges of Settlements:
- Retain undeveloped breaks between settlements by focussing further development within existing township boundaries and avoiding ribbon development, particularly along the coastal strip and key touring routes.
- Utilise existing landscape features, where they exist, (e.g. topography, vegetation coverage, vistas) to define edges to settlements, protecting the surrounding landscape character.
- Scale the height and form of new development at the coastal edge of settlements to be sensitive to surrounding development, the surrounding landform and the visual setting of the settlement, particularly when viewed from the foreshore.
- Support a hierarchy of built form within coastal settlements, with lower buildings adjacent to the foreshore and higher buildings away from the foreshore.

Between Settlements – Coastal Locations:
- Retain the natural and undeveloped character of the coastal strip between settlements by avoiding or carefully siting and designing development, and using colours and materials which are appropriate in a coastal environment and minimise contrast with the surrounding landscape.
- Retain a dominant natural character, particularly within 500 metres of the coast, by setting development back from the coast in flatter locations, avoiding loss of vegetation and minimising the visibility and impact of pedestrian and vehicular access paths and site servicing on the coastal landscape.
- Protect sensitive coastal vegetation, in particular heath-lands and dune vegetation from clearing, pollution, grazing and trampling.

Between settlements – Hinterland Locations:
- Ensure building design strongly responds to the natural setting in relation to siting, materials and colours to minimise visibility, particularly in prominent and highly visible locations and when viewed from main road corridors and key public use areas.
- In open rural areas, set buildings back long distances from roads and/or group buildings in the landscape among substantial landscaping of indigenous or non-invasive exotic / native feature planting (including existing shelterbelts).
- Maximise the undeveloped area of a lot and utilise permeable surfacing to support vegetation and minimise surface run-off.
- Retain trees that form part of a continuous canopy beyond the property, and plant new trees in a position where they will add to such a continuous canopy.

Objective 2
To ensure that development is subordinate to the natural, visual and environmental landscape character and significance
Strategies

- Ensure development minimises the visual impact of signage and infrastructure, and avoids further visual clutter across the landscape at settlement entrances and exits, including through the use of large, visually intrusive or brightly coloured signage and advertising signage.

- Locate power lines, access tracks and other infrastructure in areas of low visibility, preferably in previously cleared locations, and avoid the use of materials that contrast with the landscape.

Objective 3

To maintain locally significant views and vistas that contribute to the character of the coastal and coastal hinterland region.

Strategies

- Site infrastructure away from highly scenic locations, key views and near-coastal locations, or underground wherever possible in the case of powerlines and other utility services.

- Use vegetation to screen infrastructure from key viewing corridors and public use areas.

- Protect locally significant views and vistas that contribute to the character of coastal and coastal hinterland areas, particularly from the Longford-Loch Sport Road to Lake Wellington and Lake Reeve and to the coastal dunes of the Ninety Mile Beach.

Objective 4

To strengthen the presence of native and indigenous vegetation throughout the Character Area, particularly at roadsides, and in settlements and riparian strips.

Strategies

- Protect and enhance indigenous vegetation.

- Encourage the planting of appropriate indigenous vegetation for rehabilitation works and landscaping around development

- Retain existing shelterbelts, and non-indigenous feature planting where they are features of the area and the species are non-invasive.

Specific Character Areas

Ninety Mile Coast (Character Area 6.2)

In this Character Area, recent coastal and alluvial landforms have formed a series of narrow spits and peninsulas which separate the Bass Strait Coast at Ninety Mile Beach from the extensive inland lakes system of Gippsland Lakes. There is an unspoilt natural character in the northern half of the Character Area where extensive indigenous coastal vegetation dominates and the intersection of landforms and lakes creates a scenic setting to minor settlements and recreation locations. In the south, the Character Area has been substantially cleared and less dramatic landform and only a low density scattering of built development creates a uniform rural character to the coast edge.

Objectives

To protect indigenous coastal vegetation and ensure that it is the dominant feature of the landscape at the coastal edge of the Character Area and adjoining inland lakes.

To strengthen the presence of indigenous coastal vegetation, particularly south of Seaspray and within existing settlements.

To ensure that development in and around existing settlements does not impact on the characteristics of surrounding landscapes, including the natural and unbuilt character at the edge of the Gippsland Lakes and Ninety Mile Beach.
Strategy

- Encourage the design of buildings near lakes and waterways to be low scale and set back a sufficient distance to allow for the protection or rehabilitation of a substantial zone of riparian vegetation (e.g. over 100 metres).

Objectives

To protect locally significant views and vistas, including expansive open views across the inland lakes, natural and unbuilt views along Ninety Mile Beach.

To minimise any increase in development visible above the dunes and coastal vegetation outside settlements, when viewed from the beach, foreshore or offshore.

To avoid buildings set high on dunes or development that will be visible on the skyline.

To protect the largely natural and unbuilt views of Lake King, Lake Victoria and Lake Wellington from the shores of the lakes.

Strategies

- Ensure development proposals avoid any buildings or structures visible from the foreshore on the Bass Strait coast by setting new developments back from the coast and natural coastal landforms. Where development within the coastal strip cannot be prevented:
  - site developments on the inland slope of dunes (avoid buildings protruding above the dune ridgeline);
  - set buildings and structures among existing vegetation, maximising the retention of coastal vegetation;
  - utilise appropriate indigenous vegetation to further integrate the development with the landscape;
  - design buildings to follow the contours or step down the site and avoid visually dominant elevations;
  - minimise overlooking of the foreshore; and
  - avoid access in highly visible or undisturbed areas.

- Within the smaller Ninety Mile Beach settlements (e.g. Golden Beach /Paradise Beach, Seaspray, McLoughlins Beach) minimise visual intrusion by utilising low scale building forms, tucked into the landscape and colours and materials that reduce contract and distant visibility (particularly at the coastal edge settlements or locations or in vistas to the coast from main roads).

Objective

To recognise and protect the landscape of the Gippsland Lakes as a place of high Aboriginal cultural heritage value.

Strategy

- Identify and preserve landscape conditions and settings of places of Aboriginal cultural heritage value.

Implementation

These environment and landscape value strategies for rural and natural landscapes, biodiversity and coastal landscape character will be implemented by:

Using zones, overlays, policy and the exercise of discretion

- Applying appropriate zones and overlays
Applying the Special Water Supply Catchment Areas policy at Clause 22.01

- Applying the Rural policy at Clause 22.02
- Applying the Car Parking policy at Clause 22.04
- Applying the Aerodrome and Environs policy at Clause 22.05
- Applying the Coal Resources policy at Clause 22.06
- Applying the Coal Buffers policy at Clause 22.07
- Applying the Ninety Mile Beach policy at Clause 22.08.

Implement any relevant coastal action plan

- Use County Fire Authority guidelines on subdivision, group accommodation, and recreation accommodation in assessing whether a development proposal adequately addresses fire safety issues.

Apply the following standards for use, development and subdivision in areas subject to fire risk:
- Buildings, public open space and roads are to be sited, designed and constructed to minimise the impact of emergency conditions arising from fire.
- Development associated with residential and public use is to incorporate fire prevention measures in accordance with relevant fire prevention guidelines.
- Access, fencing, and location of dams are to maximise fire fighting potential and minimise interference with fire fighting measures.
- Plantations are to be designed to minimise the risk of fire.
- The modification of fuel levels to suitably minimise fire risk.

**Undertaking further strategic work**

- Prepare an amendment to apply the Vegetation Protection Overlay and the Environmental Significance Overlay to sites of biological significance and remnant native vegetation.
- Develop a Local Conservation Strategy to provide a strategic approach to conserving the Shire’s environmental assets.
- Develop a policy to promote water sensitive urban design in the Shire in relation to urban run-off.
- Consider the application of the Design and Development Overlay to highways, main roads and tourist routes.

**Other Actions**

- Implement the recommendations of the Coastal Spaces Landscape Assessment Study 2006.
- Implement the Municipal Domestic Wastewater Management Plan.
- Council/EPA to identify further candidate sites for the Environmental Audit Overlay.
- Use Integrated Catchment Management Plans, Salinity Action Plans, and Whole Farm Plans to promote responsible resource management in rural areas.
ENVIRONMENTAL RISK

This Clause provides a local context to Clause 13 Environmental Risks of the State Planning Policy Framework.

Overview

There are a number of environmental risks facing Wellington Shire Council which may impact on land use and development decisions. The key environmental risks are detailed in this clause and include:

- Climate change
- Fire
- Flooding
- Salinity and land degradation

Climate Change Impacts

Climate change has the potential to significantly impact land use and development within the Shire of Wellington, in particular the coastal areas. Wellington’s coastal settlements may be the subject of coastal vulnerability from changes to the climate including the possibility of sea level rise. Climate change presents several significant challenges including loss of biodiversity (particularly in coastal, alpine and fragmented landscapes), increased salinisation of wetlands (particularly the Gippsland Lakes), shoreline recession, storm surge, increased fire risk, increased frequency of drought and high temperatures.

Objective

To manage the potential impacts of climate change on the environment including in areas of coastal vulnerability.

Strategies

- Ensure land use and development planning and proposals are cognisant of possible sea level rise and its potential impacts on the Shire’s coastal settlements.
- Discourage development in areas of significant coastal vulnerability.

Fire

A Municipal Fire Prevention Plan has been prepared for the municipality with the objective of creating a safer community. In addition to specifying works and responsibilities, the Plan identifies actions the community can undertake to minimise the risk and to help prepare for fire.

Additionally the municipality has identified five different fire landscapes, which are identified on the following plan.
Fire Landscape Type 1: Great Dividing Range

The mountainous terrain to the north of the Shire, has been described as the Great Dividing Range (GDR) as per figure 1 above. Several vegetation types exist throughout the GDR landscape including dry sclerophyll mixed forest, wet sclerophyll forests, rainforest, alpine forests and alpine plains. The general rainfall throughout the mid to lower slopes of the GDR is around 600-800mm per annum, which leads to forest types dominated by dry sclerophyll forests. There are two townships in Wellington’s portion of the GDR, Licola and Dargo. Several other Wellington townships exist in the southern foothills of the GDR that including Seaton, Glenmaggie, Coongulla and Briagolong.

Much of the GDR was burnt at some intensity in the 2002/03, 2005/06 and 2013 fires. This area is subject to the Department of Environment and Primary Industry (DEPI) Fire Operations Plan. The GDR fire landscape area has a rich fire history, and it is likely that it will be subject to fire in the future.

The dominant forest type throughout the GDR has evolved around fire, and typically has a natural fire frequency of around 5-40 year intervals. Fires in the GDR area are generally of minor to moderate intensity due to the volume of fuel available for combustion; however fires of higher intensity are not uncommon.
Fire Landscape Type 2: Strzelecki Ranges

The Strzelecki Ranges are mountainous and comprise a mosaic of native vegetation, timber plantations and agricultural land use. The Strzelecki’s contain a large proportion of wet sclerophyll forests due to the higher average annual rainfall of around 1,000mm per year. Plantations throughout the area are eucalypt and pine. There are a number of settlements throughout the Strzelecki’s including; Gormandale, Carrajung, Won Wron and Devon North. Settlements around the foothills of the Strzelecki’s include Yarram, Rosedale, Woodside and Longford.

The southern Strzelecki Ranges were impacted by the 2009 Black Saturday fires north of Yarram and east of Callignee. The fire burnt through pine plantation, eucalypt plantation, native forest, agricultural land as well as the Devon North, Won Wron and Carrajung townships.

The Strzelecki Ranges are generally heavily forested (either native forest or plantation) with relatively high fuel loads. These fuel loads, combined with mountainous terrain, favourable climate history and weather conditions creates the potential for extremely intense fires. The wet sclerophyll native forest in the Strzelecki has a much wider window of fire frequency than dry sclerophyll forests. Data suggests that a major fire will pass through this landscape every 20 - 400 years, and the local ecology has adapted to this scenario. The fire intensity that could be expected in these areas is very high to extreme.

Fire Landscape Type 3: Coastal Heathland

The coastal heathland of Wellington Shire exists in one form or another from Dog Island in the west through to Rotomah Island in the east. The area is dominated by the Ninety Mile Beach and three main landscapes including dry land agriculture, wetlands, tall and short heathlands. Banksia, tea tree and eucalypt dominate the area. Rainfall averages across this landscape are between 600 – 800 mm per year. Settlements in the coastal heathland are predominately a mixture of permanently occupied houses and houses owned by absentee owners in the towns of Port Albert, Robertsons Beach, Manns Beach, McLoughlins Beach, Woodside Beach, Seaspray, The Honeysuckles, Glomar Beach, Flamingo Beach, Golden/Paradise Beach, Seacombe and Loch Sport.

The coastal heathlands has a mixed fire history. There has been a mosaic of relatively small fires throughout this landscape over time, whilst some areas have not seen any fire for some time. Fires have been recorded since the early 1980s of varying intensities. The area is also managed as part of the Department of Environment and Primary Industry Fire Operations Plan area.

The coastal heathlands are extremely prone to fire and have typically evolved around a fire frequency of around 15 – 40 years. Significant fuel loads can accumulate without the presence of fire in this landscape. A continuous fuel ladder from the ground surface through to the tree canopy is not uncommon and can lead to extreme fire behaviour and intensity that may generate a severe threat to people and property within this landscape.

Fire Landscape Type 4: Central Grassland Plains

The central grassland plains and open woodland describes the relatively flat landscape that lie south of GDR; north of the Strzelecki’s in the west and the coastal heathland in the east. An irrigation island known as the Macalister Irrigation District covers a substantial area in and around the Thompson River and Macalister River catchments. Natural rainfall is approximately 600 – 800mm per annum through the Central Grassland Plains. The area is dominated by dry land agriculture with remnant patches of native grasslands and woodlands. The grassland plains is predominantly covered by improved pastures, with very limited native grasslands remaining.

Small scale grassland plain fires are a regular occurrence throughout the landscape. Larger grassland fires are generally uncommon throughout this landscape, however in 2006/07 some significant areas were burnt around the Cowwarr district. Grasslands typically recover quickly, either through seed storage in the soil or re-sowing of paddocks. Native grasslands recover in a short period also through existing root stock, seed storage and seed dispersal.
Grasslands can present various risks to settlements and dwellings either through fires transitioning from the forest into forest/grassland interface or a grassland fire becoming established independently. Grassland fires spread relatively quickly and can vary in intensity depending on fuel load throughout the landscape. Grassland fires only pose a significant threat to the perimeter, of around 100 metres, of any town or settlement. Settlements and towns in this fire landscape area include Yarram, Heyfield, Sale, Maffra, Briagolong, Boisdale, Rosedale, Stratford, Longford, Woodside, Alberton and Tarraville.

**Fire Landscape Type 5: Macalister Irrigation District**

Significant areas of floodplain in and around the Thomson River and the Macalister River are known as the ‘Macalister Irrigation District.’ These areas access irrigation water from Lake Glenmaggie and Cowwarr Weir and the area is gazetted as a declared water catchment by Southern Rural Water.

There has been very little fire through the Macalister Irrigation District over time, with only some small scale fires in existing reserves and roadsides. Some ‘stubble’ fires have been deliberately lit as a part of on farm management and have required the assistance of the fire services, however, they have been relatively easy to contain.

The majority of the towns and settlements within the Macalister Irrigation District interface with non irrigated grasslands, therefore these localities are represented two landscape fire types. Towns such as Briagolong, Boisdale, Maffra, Heyfield and Sale all interface both the Macalister Irrigation District and non-irrigated grasslands. The perimeters of those towns, to a depth of around 100 metres, are likely to be subject to grassland fire threat. The interior of these towns would have little exposure to grass fires.

**Objective**

To protect the community from natural hazards such as fire.

**Strategies**

- Ensure that new land use or development, particularly within the identified fire landscapes does not increase the level of fire risk and includes adequate fire protection measures.
- Ensure appropriate buffers are applied between new urban settlement and bushland to mitigate the risk of fire.
- Require dwellings in rural areas to be sited to minimise fire risk and minimise the need for removal of native vegetation.
- Discourage residential development and associated uses in areas which are in areas that are subject to high fire risk.
- Recognise the five fire landscapes and their implications on land use and development and the risk of fire.

**Flooding**

Flooding is another recognised environmental risk. Detailed flood mapping has been carried out by the catchment management authority identifying land subject to flooding.

**Objective**

To protect the community from the natural hazard of flooding.

**Strategies**

- Restrict development on flood plains and land liable to inundation.
- Discourage residential development and associated uses in areas that are subject to flooding.
Salinity and Land Degradation

Salinity and land degradation can create issues for the viability of agriculture as well as reduce the quality of the environment.

Objective 1

To protect groundwater quality and aquifer recharge areas, particularly from the impacts of urban run-off.

Strategy

- Encourage the revegetation of riparian buffers along waterways, gullies, ridge-lines, property boundaries and recharge areas.

Objective 2

To achieve integrated catchment management that addresses salinity, erosion, sedimentation, water quality, biodiversity and native vegetation retention.

Strategy

- Locate and design activities such as abattoirs and intensive animal husbandry to minimise environmental damage and loss of amenity to surrounding areas taking into account matters such as effluent control, odour, noise, soil compaction, erosion and protection of water quality.

Objective 3

To achieve responsible land management in areas of soil erosion and salinity.

Strategy

- Encourage agroforestry, particularly in areas of low agricultural value and environmental degradation.

Implementation

These strategies for environmental risks will be implemented by:

Using zones, overlays, policy and the exercise of discretion

- Applying appropriate zones and overlays
- Applying the Special Water Supply Catchment Areas policy at Clause 22.01
- Applying the Rural policy at Clause 22.02
- Implement any relevant coastal action plan
- Use County Fire Authority guidelines on subdivision, group accommodation, and recreation accommodation in assessing whether a development proposal adequately addresses fire safety issues.
- Apply the following standards for use, development and subdivision in areas subject to fire risk:
  - Buildings, public open space and roads are to be sited, designed and constructed to minimise the impact of emergency conditions arising from fire.
  - Development associated with residential and public use is to incorporate fire prevention measures in accordance with relevant fire prevention guidelines.
  - Access, fencing, and location of dams are to maximise fire fighting potential and minimise interference with fire fighting measures.
  - Plantations are to be designed to minimise the risk of fire.
- The modification of fuel levels to suitably minimise fire risk.

**Undertaking further strategic work**

- Actively support and contribute to completing the remaining Maffra related stages of the Flood Data Transfer Project with a view to amending the Wellington Planning Scheme to reflect these changes.

- Actively support the proposed West Gippsland Catchment Management Authority flood monitoring program for the Yarram district with a view to amending the Wellington Planning Scheme to reflect relevant findings.

- Prepare an overlay identifying land subject to salinity.

- Investigate options to address landslip.

- Develop a policy to promote water sensitive urban design in the Shire in relation to urban run-off.

**Other actions**

- Implement the Municipal Fire Prevention Plan.

- Implement the Municipal Domestic Wastewater Management Plan.

- Council/EPA to identify further candidate sites for the Environmental Audit Overlay.

- Use Integrated Catchment Management Plans, Salinity Action Plans, and Whole Farm Plans to promote responsible resource management in rural areas.
NATURAL RESOURCE MANAGEMENT

OVERVIEW

Rural areas

The Shire’s rural areas contain some of the most ecologically important and diverse areas in the State. Natural assets such as the Gippsland Lakes, National Parks and wetlands have high intrinsic natural values and are a significant factor in attracting people to reside and visit the Shire. There are significant environmental issues in the Shire’s rural areas, including water quality, inappropriate residential development, protection of vegetation habitat, and impacts on neighbouring wetlands and coastal parks. Infrastructure development such as windfarms and high voltage transmission lines can also have significant detrimental effect on the landscape. The rural amenity of the Shire is also an asset which warrants protection. Residents and tourists derive pleasure from the scenic values of the rural landscapes. This rural amenity is worthy of protection. The rich green pastures of these irrigation areas are also some of the most productive agricultural land in the nation. These areas are currently under intensive agricultural production and need careful management in order to remain sustainable for that purpose.

Water

Catchment management and water quality

The Shire is principally located within the West Gippsland Catchment Management Authority area and partially within the East Gippsland Catchment Management Authority. The Shire can generally be divided between the catchments which drain into Lake Wellington and the South Gippsland Catchment which drains into Nooramunga Inlet and Bass Strait. Townships and farming communities across the Shire are heavily dependent upon the health of the rivers and streams within these catchments for town water supplies and rural irrigation. The continued health of these catchments is therefore extremely important to the long term sustainability of the Shire and the economic well being of the Shire’s industry, agriculture, and settlements. Additionally rivers and streams often form an excellent native vegetation linkage through landscapes that are largely devoid of native vegetation. The careful management of timber production is critical to the protection of these catchments, especially with regards to reducing sediment loads into catchments and maintaining remnant native vegetation.

Salinity, acid sulphate soils, sedimentation and high nutrient loads may pose threats to farmland, infrastructure and wetlands, in particular around Sale and Lake Wellington. Salinity may also pose a threat to the built environment in the urban areas of Sale, Rosedale and in coastal towns. Careful management of irrigation and farm planning must continue to address these serious problems. Management of chemical and fertiliser use in agricultural production is also important for the protection of water quality.

Management of settlements is also a major issue in catchment protection. Many coastal and inland towns lack infrastructure and cannot adequately manage effluent loads, yet they continue to develop. There is significant concern that poor management of stormwater and effluent is resulting in pollution of ground and surface water resources in a number of settlements, including Briagolong, Coongulla, Loch Sport, Port Albert, Seaspray and Alberton. Algal blooms in the Gippsland Lakes can, in part, be attributable to poor effluent and stormwater management in urban areas across the Shire.

Substantial areas of rural land in the Wellington Shire are located in Special Water Supply Catchment Areas as defined in the Catchment & Land Protection Act 1994. These catchments provide water for urban, domestic and irrigation water supplies.
**Wetlands**

The wetlands in the Shire provide a haven for bird life and many are recognised by their listing on the National Estate Register and declaration under the RAMSAR Convention on Wetlands of International Importance, especially as waterfowl habitat. These wetlands provide a prelude to the Gippsland Lakes, Lake Wellington, Lake Victoria, Heyfield and the coastal regions including the Corner Inlet/Nooramunga Marine National Park in the Shire’s south-west region. Importantly, wetland environments are susceptible to damage from inappropriate development and land use.

**Objective 1**

To achieve integrated catchment management that addresses salinity, erosion, sedimentation, water quality, biodiversity, and native vegetation retention.

**Strategies**

- Implement the relevant regional catchment management principles of the West Gippsland Catchment Management Authority and the East Gippsland Catchment Management Authority and the Land Protection and Coastal Management Strategies.
- Ensure that wetlands are conserved and managed appropriately.

**Objective 2**

To protect watercourses, wetlands, remnant native vegetation, and areas of ecological, cultural, historic, archaeological and scientific interest.

**Strategies**

- Promote wetlands as vital components of the Shire’s natural environment.
- Ensure that development or works within a wetland provide for the ongoing use of that land as a healthy wetland.
- Ensure that unclassified wetlands are identified, conserved and protected from inappropriate development.
- Protect and maintain wetlands listed under the RAMSAR Convention.

**Objective 3**

To minimise the impacts of development and human activity on the ecological values of the coast and around the Gippsland Lakes.

**Strategies**

- Locate and design activities such as abattoirs and intensive animal husbandry to minimise environmental damage and loss of amenity to surrounding areas taking into account matters such as effluent control, odour, noise, soil compaction, erosion and protection of water quality.
- Locate activities such as abattoirs and intensive animal husbandry at least 100 metres from waterways and wetlands to protect water quality.

**Objective 4**

To ensure that land use and development in water catchments do not adversely affect the quality and quantity of water that is available for domestic and agricultural consumption.

**Strategy**

- Encourage co-operation with water catchment authorities regarding the management of identified domestic water supply catchments to enhance water quality within the Shire.
Objective 5
To protect groundwater quality and aquifer recharge areas, particularly from the impacts of urban run-off.

Strategies
- Require all dwellings in rural areas to retain all effluent and stormwater on site as well as have a potable water supply and energy source.
- Require that developments with associated effluent disposal systems are located at least 100 metres from waterways and wetlands, particularly in areas with high water tables and in domestic water supply catchments.

Objective 6
To support and implement environmentally sensitive waste management and recycling practices.

Strategies
- Encourage innovative forms of infrastructure provision including reed-beds and composting toilets in keeping with the theme of environmentally sustainable development (such innovative techniques will need to be appropriately documented and trialled prior to endorsement by Council).
- Encourage stormwater systems that prevent high nutrient and sediment concentrations entering waterways and wetlands.

Sustainable Land Management

Objective 1
To achieve ecologically sustainable management of rural land, particularly in relation to the agricultural, timber and other industries that rely on the Shire’s natural resources.

Strategies
- Limit non-agricultural uses and subdivision on high quality agricultural land.
- Consider the impacts of timber production activities (on public and private land) on native flora and fauna habitat, and the surrounding visual environment.
- Encourage the exploitation of mineral and stone resources only where it can be demonstrated that the environmental impact of such activity is minimised and is conditional on a plan for the appropriate rehabilitation of the site.
- Encourage agroforestry, particularly in areas of low agricultural value and environmental degradation.

Objective 2
To protect, improve and sustainably manage the Shire’s natural environment and diverse landscapes.

Strategy
- Discourage residential development and associated uses in areas which have high agricultural value, environmental and/or scenic significance, are near main landfill sites or are in areas that are subject to high fire or flood risk.
Coal Resources

Gippsland coal fields

Overview

The Gippsland region contains significant coal resources that are an important energy resource suitable as a fuel source for the generation of electricity, and having potential for alternative fuels and other products. The coal resource contained within the Wellington Shire is shown on the Wellington Shire Coalfields map following this clause.

The coal industry has been one of the most influential land use activities in terms of physical, social, economic, and environmental impacts. These impacts have been both profound and unique in Victoria due to their nature and extent. The brown coal resources of the Gippsland coalfields have long been recognised by Victorian governments commencing with a Royal Commission in 1891. The delineation and protection of the coal resources within the area commenced in the 1940’s with the Latrobe Valley Development Interim Regional Survey and Report. This resulted in the Latrobe Valley Sub-Regional Planning Scheme, approved in 1951, to protect the coal areas and provide for land use control in areas adjoining the coal resource.

During the 1970’s rural residential land uses were encroaching onto the coal resource areas and additional planning measures were introduced. A Brown Coal Resource Interdepartmental Committee (BCRIC) was established in 1976 to define the limits of economically winnable brown coal. In April 1978, the Government introduced 6 separate Interim Development Orders (IDO’s) to control land use development in areas identified as containing ‘economically winnable brown coal’. Those IDO’s were revoked in 1980 and the planning controls were transferred into the relevant municipal planning schemes.

The need for a further review of existing resource boundaries became evident following receipt of new information. This included the Victorian Brown Coal Resource Development Study, December 1982, and further exploration in the region carried out by the former State Electricity Commission of Victoria, the (then) Department of Minerals and Energy and a number of mineral exploration companies. The Interdepartmental Committee on Coal Resource Boundaries contributed the following:

- Fourteen townships and several significant locations (eg. the township of Gormandale and the transport corridor between Traralgon and Rosedale) totally and permanently excluded from coal related activities.
- The substitution of the term ‘protected coal’ for ‘economically winnable coal’ as the basis for planning policy.
- The imposition of different development controls on land overlying coalfields which are expected to be the first to be developed (Category A coalfields) compared with land overlying coalfields whose development is expected later (Categories B and C coalfields).
- The identification and protection of areas required to facilitate development on Category A coalfields.
- Provision for strengthened environmental and social planning in the region.
- The definition of coal boundaries and the establishment of buffers to urban areas.

The following objectives were established:

- Minimise the social and environmental impact of development.
- Assure the availability of coal for electricity generation.
- Provide a higher degree of certainty for regional planning purposes.

Ensuring the security of the resource also led to the development of the Sequential Coalfields Development Strategy. The Strategy was a process established to achieve the above objectives. It set out the functions of government agencies, incorporated the
Government Energy Policy Statement *Victoria Brown Coal* dated 11 July 1984, to align with the Regional Strategy Plan, *Steps Ahead*, and introduced new planning controls. These controls included more detailed definitions of coal and urban buffer boundaries. The boundaries formed *Policy Areas* which were used as an overlay control rather than a replacement to the underlying zoning. The boundaries identified:

- Category A Coalfields - the first stage for coal development.
- Category B Coalfields - the second stage for coal development.
- Category C Coalfields - the third stage of coal development.
- Uncategorised coalfields.

The span of time for development is in decades.

The provision of buffer areas is intended to protect urban communities from possible adverse effects associated with open-cut mining as well as protect use of the land for coal winning and electricity generation industry.

The urban buffer distance is established on the basis of known impacts of earth subsidence, noise, dust, fire hazard, and visual intrusion. Adequate buffer areas have been established. Buffer areas extend for a distance of 750 (±75) metres away from any urban settlement boundary, and they include an additional 250 metre distance from the coal operational area. Therefore, the total separation area between an urban settlement boundary and the crest of any future open cut development should not be less than 1 kilometre in width.

**Key Issues**

Important factors for the planning and development of the Gippsland coalfields area are:

- The significance of the coalfields in providing, directly or indirectly, a major proportion of energy supplies to the State of Victoria. More specifically:
  - 80-90% of present electrical energy in Victoria is generated using coal from deposits in the coalfields area. This use of the coal resource could increase.
  - Approximately one million tonnes of solid fuel, as coal briquettes, is supplied annually to domestic, industrial, power station, and export markets.
  - Coal deposits offer opportunities for the production of chars, carbons, chemical feedstock, soil conditioners, synthetic fuels, and a range of dried coal fuel in addition to briquettes.
  - The coal deposits are particularly suitable for open cut operations because they occur in thick seams close to the surface.

- The variations in coal characteristics and coal quality within and between the coalfields.

- The requirement for water in the region for domestic, industrial, commercial, agricultural, and natural systems purposes. Specifically, in connection with the exploitation of coal and timber resources, water is required for industrial processing, cooling, processing, dust control, and fire prevention and suppression.

- The direct and indirect existing and potential conflicts between the use or development of land for coal extraction and power generation, agriculture (particularly dairy farming), timber production, recreational, residential, major industrial, and main transport purposes.

**Wellington Coal Fields**

**Objective 1**

To recognise and appropriately protect that part of the Gippsland Coalfields located in the Wellington Shire.
Strategies

- Encourage existing uses, on land identified as required for coal exploitation, to continue until such time as the land is required for brown coal winning or processing. Other uses may be considered on a temporary basis if it can be demonstrated that they would not adversely affect future development of the coal resource.

- Discourage the following in all designated coal recovery areas: the use or development of land for urban or non coal related industrial purposes; major overburden dumps; and other uses which could prejudice the winning or processing of the underlying coal resource.

- Protect the brown coal resource from the encroachment of incompatible use, development or subdivision.

- Monitor data on the use of groundwater in terms of:
  - Depletion of aquifers.
  - Protection of groundwater recharge zones (for both quality and volume of recharge water).
  - Waterlogging and subsidence of soils through groundwater use.

Objective 2

To facilitate orderly coal development so that the resource is utilised in a way which is integrated with State and local strategic planning.

Strategies

- Ensure that Gippsland coal resources are developed in accordance with a broad strategy which provides for the conservation and use of the coal and also for other important uses and planning considerations.

- Ensure that protection against fire is a major consideration in planning and managing land on which fire could affect open cuts and in all aspects of the protection, utilisation and storage of coal and its products.

- Consider the provision of local structure plans as a guide to:
  - Avoid compromising future economic access to brown coal reserves.
  - Protect opportunities for existing and new plantation forestry.
  - Avoid development pressures on productive agricultural land.
  - Protect key environmental assets from encroachment by development.

Objective 3

To ensure that the use or development of land overlying the coal resources has regard to the need to conserve and utilise the coal resource in the context of overall resources, having regard to social, environmental, physical and economic considerations in order to ensure a high quality of life for residents.

Strategies

- Prior to the exclusive use of brown coal development on land acquired for that purpose, the land should be managed so as to maximise its productive land use capability, maintain and enhance the quality of the landscape and prevent or minimise the occurrence of fire hazard or soil erosion.

- Ensure that urban growth is encouraged to take place at suitable locations away from coal designated as readily recoverable so that it does not compromise development of the coal resource.
Urban Coal Buffer

Objective 1
To provide a clear understanding within the regional community of the implications of designating land for future coal resource development or for buffer areas on the future use of land.

Strategy
- Protect and improve visual amenity for urban communities by initiating landscaping works and tree planting. However, particular care must be taken to ensure that fire hazard is minimised.

Objective 2
To ensure that any use or development in a buffer area is undertaken to minimise potential impacts associated with open cut mining, such as earth subsidence, noise, dust, fire hazard, and visual intrusion. In most cases, maximising the distance between a proposed development site and open cut mining will be considered appropriate.

Strategies
- Ensure that any use or development in a buffer area is undertaken in a manner which minimises potential impacts from sources including earth subsidence, noise, dust, fire hazard, and visual intrusion associated with open cut mining. In most cases, maximising the distance between a proposed development site and open cut mining should be considered as appropriate.
- Ensure that the management, use or development of land in buffer areas minimises the potential fire risk to open cut mining.
- Encourage the following general uses within buffer areas:
  - Extensive animal husbandry.
  - Leisure and recreation (public or private).
  - Encourage uses which are compatible with the buffer concept including:
    - Service industry which does not pose a fire hazard.
    - Transport facilities.
    - Water and aqueous effluent pipe-lines.
    - Power transmission lines.

Objective 3
To minimise the number of residents living permanently in buffer areas.

Strategies
- Discourage the expansion of urban development into urban buffer areas.
Implementation

These natural resource management strategies will be implemented by:

**Using zones, overlays, policy and the exercise of discretion**

- Applying appropriate zones and overlays
- Applying the *Special Water Supply Catchment Areas* policy at Clause 22.01
- Applying the *Rural* policy at Clause 22.02
- Applying the *Car Parking* policy at Clause 22.04
- Applying the *Airfields and Environs* policy at Clause 22.05
- Applying the *Coal Resources* policy at Clause 22.06
- Applying the *Coal Buffers* policy at Clause 22.07
- Implement any relevant coastal action plan
- Apply the State Resource Overlay (SRO1) to the Gippsland brown coalfields in the Wellington Shire.
- Apply the Environmental Significant Overlay (ESO1) to land within the coastal and Gippsland Lakes environs.
- Apply the Environmental Significance Overlay (ESO3) to land within urban and construction buffer areas.
- Use the Coal resources local policy to determine the appropriateness of applications on land over coalfields.
- Use the Coal buffers local policy to determine the appropriateness of applications on land within urban and construction buffer areas.
**Undertaking further strategic work**

- Develop a Local Conservation Strategy to provide a strategic approach to conserving the Shire’s environmental assets.
- Develop a policy to promote water sensitive urban design in the Shire in relation to urban run-off.

**Other actions**

- Implement the Municipal Domestic Wastewater Management Plan.
- Council/EPA to identify further candidate sites for the Environmental Audit Overlay.
- Use Integrated Catchment Management Plans, Salinity Action Plans, and Whole Farm Plans to promote responsible resource management in rural areas.
BUILT ENVIRONMENT AND HERITAGE

Overview
The Shire has significant heritage assets which need to be considered in land use and development decisions.
Built form within the Shire varies significantly and requires careful consideration and guidance to balance the competing demands within the area.

Built Environment
The built environment of Wellington Shire is varied given the numerous landscapes within which it is located. The management of the built environment is critical in creating and maintaining a sustainable Shire with high amenity.

Objective 1
To ensure rural dwellings consider the environment in their design and construction.

Strategies
- Require dwellings in rural areas to retain all effluent and stormwater on site and to have a potable water supply and energy source.
- Require dwellings in rural areas to be sited to minimise fire risk and minimise the need for the removal of native vegetation.

Objective 2
To foster environmentally sustainable built form.

Strategies
- Promote the use of appropriate building materials, the retention of native vegetation and revegetation that enhances the scenic landscapes of the Shire’s rural areas.

Objective 3
To develop and maintain a built environment that fosters community health and wellbeing.

Strategies
- Encourage physical activity and social interaction through the use of healthy by design principles in the Shire’s main towns.
- Encourage developments to enhance connectivity in the public realm through the use of paths and trails.

Undertaking further strategic work
- Develop a Local Conservation Strategy to provide a strategic approach to conserving the Shire’s environmental assets.
- Develop a policy to promote water sensitive urban design in the Shire in relation to urban run-off.
- Consider the application of the Design and Development Overlay to highways, main roads and tourist routes.

Other actions
- Implement the Municipal Fire Prevention Plan.
- Implement the Municipal Domestic Wastewater Management Plan.
- Council/EPA to identify further candidate sites for the Environmental Audit Overlay.
- Use Integrated Catchment Management Plans, Salinity Action Plans, and Whole Farm Plans to promote responsible resource management in rural areas.

**Heritage**

Wellington Shire has an extensive and diverse cultural heritage which illustrates how the landscape has been changed by Indigenous and non Indigenous peoples. Much physical evidence is visible today including landscapes, township precincts, public buildings, residences, cemeteries, bridges, dairies, farms and the iconic cattlemen’s huts of the high country.

*Gipps Land* (now Gippsland) was home to the Kurnai peoples for thousands of years prior to European exploration and settlement. The area became known to European explorers, including Angus McMillan and Paul Strzelecki, from the 1840’s onwards.

Pastoralists followed explorers and, established Port Albert to provide a sea route to Melbourne for produce from the area’s developing agricultural industries such as grazing, live animal export, wool and dairying. Port Albert provided a connection which was significant to Wellington Shire and the wider Gippsland region. Dairying in particular, was a key industry and evidence can be seen in Wellington Shire of the changes in practices and technology over time.

Victoria’s gold rush had a major influence on the Shire’s development as Port Albert became a pivotal centre through which miners and their equipment travelled between Melbourne and the goldfields. Later it was used for recreation, fishing and ship building.

Sale was another key port. It opened in the 1860’s and provided a direct link with Melbourne thereby removing the need to send goods through Port Albert then on by road to Sale. A direct railway link consolidated its importance.

The establishment of a RAAF base and the exploitation of oil and gas had a great impact on Sale and the region bringing prosperity and employment. In the 1960s Esso BHP found oil in Bass Strait and Sale became the company’s headquarters with a resulting impact on the development of both the town and the region.

**Objective 1**

To ensure that the Shire’s heritage, including Aboriginal cultural heritage, and heritage of archaeology and scientific interest is conserved and protected for the benefit of future generations.

**Strategies**

- Promote an increased awareness and appreciation of the Shire’s heritage.
- Promote the identification, protection and conservation of all places with heritage significance including heritage precincts.
- Promote the identification, protection and maintenance of Aboriginal cultural heritage values.
- On sites of heritage significance, encourage development and adaptive re-use of buildings to achieve a balance between development potential and conservation objectives.
- Conserve and reuse historic buildings for appropriate developments.
- Promote the conservation of heritage places and precincts.
- Support the on-going viable use of heritage places as part of their conservation.

**Undertaking further strategic work**

- Undertake a heritage study for the whole Shire including post contact, aboriginal and archaeological assets.
- Include heritage assets in an amendment which protects the sites under a Heritage Overlay.
Implementation
These built environment and heritage strategies will be implemented by:

Using zones, overlays, policy and the exercise of discretion
- Applying appropriate zones and overlays
- Applying the *Special Water Supply Catchment Areas* policy at Clause 22.01
- Applying the *Rural* policy at Clause 22.02
- Applying the *Heritage* policy at Clause 22.03
- Implement any relevant coastal action plan
**ECONOMIC DEVELOPMENT**

**Industry, Retail and Commerce**

**Overview**

There are many existing and new industries which are important to the economic wellbeing of the Shire. These include horticulture, dairying, timber production, fishing, tourism, the oil and gas industry and brown coal production. The promotion of a greater diversity in the Shire’s industrial, retail and commercial sectors is important in securing a more robust economic profile. Retail provision in the Shire is focused on the main settlements including Sale.

**Objective 1**

To expand and diversify the regional economy and increase employment.

**Strategies**

- Support the establishment of new industries and businesses, and the expansion of existing operations in appropriate locations.
- Support new and innovative rural and other industries to help achieve a diverse regional economy.
- Facilitate the establishment of a future homemakers centre, bulky goods retailing and associated uses in the area north of Cobains Road and east of the Princes Highway in Sale.
- Facilitate oil and gas production and exploration.
- Facilitate economic development opportunities to locate where they can benefit from the Basslink Electricity Interconnector.

**Objective 2**

To generate employment within a framework of ecologically sustainable development.

**Strategies**

- Support business enterprises which utilise the Shire’s natural resources in a sustainable manner.
- Ensure commercial, retail and industrial development minimises the impacts of their operations on the community and the local environment.
- Ensure commercial, retail and industrial development is adequately serviced by necessary infrastructure.
- Encourage businesses and industries which are reliant on road and rail infrastructure to locate on, or close to, the Princes Highway and South Gippsland Highway transport corridors.
- Provide and maintain appropriate buffer areas between industrial and residential land.
- Encourage the full development of existing commercial and industrial zoned land to maximise infrastructure efficiencies, except on sites of heritage significance.

**Objective 3**

To protect and reinforce the role of existing commercial centres in a manner appropriate to their function.

**Strategies**

- Encourage development which consolidates and beautifies the ‘main street’ shopping centres in each of the main towns across the Shire.
- Provide sufficient, well located, and attractive land for the expansion of industrial and commercial activities in each of the main towns.
- Ensure retail centre developments provide adequate car parking and access.
- Encourage local convenience shopping facilities in new residential areas.
- Ensure that further development of existing industrial areas and any future industrial areas incorporate streetscape and landscape treatments, particularly where such sites are highly visible to town centres and/or entries.
- Enhance the physical and commercial connection of the Sale CBD to the Princes Highway and the Port of Sale cultural precinct.
- Promote a compact retail centre for the main commercial centre of Sale.

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Agriculture

Overview
Agriculture is a major industry within the Shire, producing approximately $430 million worth of agricultural commodities and employing approximately 1,758 people in 2012. Although dairying is the key component of this sector, vegetable growing is increasing attracted to the water security of the Macalister Irrigation District. The Wellington community benefits directly and indirectly from the ongoing prosperity of this important industry.

Objective 1
To support the contribution that agriculture and rural industries make to the regional economy.

Strategies
- Ensure agricultural activity is based on the capability of land to support such use or development.
- Encourage agricultural activities such as horticulture and dairying in areas of high agricultural quality.

Objective 2
To discourage the use or development of high quality agricultural land that would be incompatible with sustainable agricultural use of the land.

Strategies
- Protect and retain land classified as ‘high quality’ and ‘very high quality’ in the “Assessment of Agricultural Quality of Land in Gippsland” (1984), in agricultural production, particularly in and around the Macalister Irrigation District.
- Protect agricultural land by limiting fragmentation into small rural lots and rural living areas especially in environmentally sensitive areas.
- Facilitate more intensive and diversified use of rural land for higher value products, including horticulture, viticulture, intensive animal husbandry and agroforestry, where environmental conditions permit.
- Ensure that use or development in rural areas, including advertising, is compatible with, and has an association with the surrounding agricultural activity.
- Protect high quality agricultural land by discouraging its use and development for dog breeding and boarding facilities, particularly in the Macalister Irrigation District.
- Ensure use and development adjacent to main roads in rural areas is related to agriculture.
- Discourage subdivision which re-aligns boundaries to create small lots for dwellings, particularly in irrigated areas.
Objective 3
To promote and develop opportunities for value adding industries, plantation timber production, eco-tourism and cultural tourism.

Strategies
- Encourage development which adds to and diversifies existing agricultural activities.
- Facilitate more intensive and diversified use of rural land for higher value products, including horticulture, viticulture, intensive animal husbandry and agroforestry, where environmental conditions permit.

Timber

Overview
The timber industry plays an important role in the Shire’s economy and employs approximately 400 people. The Shire hosts seven timber mills, two treated pine mills and processing plants, and two large trucking contractors that service the industry. It also supplies timber to mills located at Maryvale in the Latrobe Valley and continues to be a significant employer across the region. The potential for expansion of timber plantations in rural areas across the Shire makes this industry an important one, with employment, economic, social, and environmental ‘flow on’ benefits for the Wellington community.

Objective
To achieve sustainable development within the timber industries.

Strategies
- Encourage the establishment of value adding timber production activities, such as timber mills in rural areas which minimise impacts on the surrounding environment.
- Encourage activities such as timber production and agroforestry on marginal agricultural land such as land with steep slopes (but less than 30 degrees), cleared land and areas with poor soil structure, perched water tables, salinity and erosion.
- Encourage the careful application of farm forestry to address groundwater and salinity issues.

Aviation

Overview
Aviation related companies are based around the RAAF Base at East Sale and the West Sale Airport. The airfields are important assets and provide opportunities for the establishment of a range of aviation related businesses and value-added industries in the region. The “Parkside” Aerodrome near Yarram provides an important transport facility for that area.

Objective 1
To capitalise on the opportunities afforded by the East Sale RAAF base to the Shire’s employment and economic profile.

Strategy
- Support the development of aviation related industries on, or in close proximity to, aerodromes.

Objective 2
To ensure that the safety and efficiency of airfield operations is not prejudiced by any new use or development of land nearby.
Strategy

- Ensure that land use or development around aerodromes does not impact upon their existing and future use.

Tourism

Overview

Tourism in the Shire has significant potential for growth, particularly cultural and eco-tourism. Further promotion and development of the Wetlands, creation of tourist routes across the Great Dividing Range, promotion of farm based tourism and marketing of the rural and natural environment are all important for the growth of this industry.

Greyhound racing plays an important role in Wellington, with the Shire hosting the highest number of racing dog trainers in the State outside of Bendigo. The Sale Greyhound Racing Club contributes positively to the Shire’s economy in encouraging regional tourism and providing employment opportunities.

In addition, a significant opportunity to improve tourism capture within the municipality is associated with the potential development of the Port of Sale cultural precinct. Should development occur in connection with the arts, entertainment and cultural activities, potential exists to attract an increased number of visitors to the area, thereby enhancing economic activity.

Objective 1

To encourage the development of tourism around the Shire’s natural environment, and cultural and heritage assets.

Strategies

- Encourage rural based tourist activities that do not adversely impact upon legitimate agricultural activities, lead to fragmentation of high quality agricultural land or cause adverse impacts on the Shire’s natural resources.
- Facilitate high quality tourist use and development which links to the agricultural economy, natural environment, and heritage of the Shire.
- Facilitate tourism in areas with favourable natural attributes, access and infrastructure.
- Encourage low impact and ecologically sustainable tourism development which enhances connectivity with local pedestrian and cycle paths to encourage physical activity.
- Promote the natural environment as a strength for the Wellington community and its visitors, particularly through sustainable eco-tourism.
- Ensure the environmental capability and suitability is considered in tourist developments along the coastline and lakes foreshore.

Objective 2

To promote Sale, and the Shire, as tourist destinations through initiatives such as the Wetlands Centre.

Strategies

- Facilitate the concentration of urban type tourist and commercial recreation development in established centres.
- Support the redevelopment of the Sale Golf Club into a high quality 18 hole championship golf course, including redevelopment of the clubhouse and provision of tourist accommodation.
- Facilitate appropriate development within the Port of Sale cultural precinct.
- Facilitate economic opportunities presented by the high number of racing dog trainers within the Shire and establish Sale as the regional headquarters for greyhound racing in eastern Victoria.

**Objective 3**

To promote and develop opportunities for eco-tourism and cultural tourism.

**Strategy**

- Encourage eco-tourism and cultural tourism developments which is appropriate to the area and cognisant of the environmental constraints.

**Implementation**

These economic development strategies will be implemented by:

**Using zones, overlays, policy and the exercise of discretion**

- Applying appropriate zones and overlays
- Applying the *Special Water Supply Catchment Areas* policy at Clause 22.01
- Applying the *Rural* policy at Clause 22.02
- Applying the *Heritage* policy at Clause 22.03
- Applying the *Car Parking* policy at Clause 22.04
- Applying the *Aerodrome and Environs* policy at Clause 22.05
- Applying the *Coal Resources* policy at Clause 22.06
- Applying the *Coal Buffers* policy at Clause 22.07
- Require proposed industrial areas expansions to be subject to investigation into the feasibility of infrastructure provision and an assessment of the potential impact of such use on any nearby residential areas.
- Use “*Assessment of Agricultural Quality of Land in Gippsland*” (1984) or any other relevant assessment as a basis for determining land capability.

**Further Strategic Work**

- Identify potential development sites for the promotion of timber-related activities as well as value adding dairy related and food process industries (e.g. Yarram and Heyfield for timber related activities and Maffra for milk).
- Review industrial land adjacent to residential areas (including the Stratford industrial estate) and where appropriate apply the Industrial 3 zone.
- In association with the relevant department, prepare an amendment to plot the alignment of the Latrobe Valley Outfall Sewer onto the planning scheme maps.
- Investigate the appropriateness of rezoning rural land into Rural Conservation zone.
- Identify land for the purposes of any future noxious industrial process, taking into account the appropriate buffer distances and other environmental concerns.
- Review all land included in a Public Acquisition Overlay for which Council is the acquiring authority.
- Review planning scheme controls to facilitate the implementation of incentives for improved Macalister Irrigation District irrigation practices.
- Council to pursue with the Department of Environment and Primary Industry a review the coal related provisions in Clauses 21 and 22 and to contribute to that review.
TRANSPORT

This Clause provides a local context to Clause 18 Transport of the State Planning Policy Framework.

Overview

The Shire’s distant location from Melbourne means the provision of good quality transport infrastructure is vital in ensuring its economic development and connectivity.

The Princes Highway, Hyland Highway and South Gippsland Highway and Bairnsdale rail line are key transport routes providing access within and into the Shire.

Wellington has well maintained transport networks supporting important economic activity and connected communities. Townships are supported by excellent public transport services. Public transport services are more prevalent in the southern parts of the Shire with a focus on Sale.

General

Objective

To maintain and develop a range of transport options within the Shire and encourage the use of environmentally friendly sustainable transport options.

Strategies

- Enable delivery of product to both processing and market through the protection and maintenance of the Shire’s transport infrastructure including road networks and railway lines.
- Encourage developments to add to the existing transport networks in an efficient manner to facilitate stronger and safer connections between the Shire’s communities.

Road Infrastructure

Objective

To recognise the importance of the Princes Highway, Hyland Highway and South Gippsland Highway.

Strategy

- Ensure development respects the role of the key highways throughout the Shire.
- Protect the efficiency of the highways by requiring development to consider and restrict new accesses to and from these roads.

Rail

Objective

To recognise the importance of the Melbourne-Bairnsdale rail line to the Shire’s connectivity.

Strategies

- Ensure development in the vicinity of the rail line does not adversely impact its function or efficiency now and in the future.
- Facilitate development in proximity to the rail network which would benefit from this facility.

Public Transport Infrastructure

Objective

To improve the provision of public transport throughout the Shire.
Strategies

- Facilitate the improvements to the public transport network to provide services between communities, across the region and connecting to Melbourne.
- Encourage new developments and subdivisions to facilitate the use and provision of public transport services, particularly bus services.

Walking and Cycling

Objective
To promote walking and cycling as a form of transport.

Strategies

- Develop and implement plans for networks of footpaths and bikeways.
- Encourage new developments to add to existing or provide new networks of footpaths and bikeways.
- Facilitate walking and cycling as a means of improving community health and wellbeing.
- Improve pedestrian circulation and safety.
INFRASTRUCTURE

This Clause provides local content to Clause 19 of the State Planning Policy Framework.

Physical Infrastructure

Physical infrastructure includes drainage, water, waste and energy services, open space and recreation facilities, roads, pedestrian and cycle paths, railways and airfields.

Most larger settlements within the Shire are connected to reticulated services except for low density residential properties that operate on-site effluent disposal systems. Some rural towns, including Maffra and Yarram, have significant drainage issues and limited infrastructure. The coastal townships of Seaspray and Loch Sport are undergoing programs to install reticulated services. Urban infrastructure is expensive to provide and its development requires long lead times.

Objective

To ensure development is provided with physical infrastructure to the level appropriate to the area and in a logical manner.

Strategies

- Avoid the ‘leapfrogging’ of development out of sequence with infrastructure provision.
- Ensure development is appropriately serviced and facilitate developments to be responsible for the cost of providing necessary services.
- Encourage development to be cognisant of and reflect development infrastructure constraints, particularly drainage infrastructure.
- Ensure development which is not connected to reticulated sewerage is provided with appropriate on-site effluent disposal systems.

Community Infrastructure

The extent to which residents and visitors to the Shire can access human services is also important. Human services include all of those services and facilities which satisfy the basic needs of the Shire’s population and include child care, aged care, hospitals, youth services, public transport, crisis accommodation etc. Community services and infrastructure provision within the Shire is generally focused on the larger towns.

The education and training sector is one of the largest employers in the Sale Statistical Local Area, the residents of which generally enjoy good levels of education. This being the case, it is expected that demand for education will continue to be strong in coming years and the education sector will continue to play an important role in the area’s economy. Moreover, it is likely that the role of the education sector will be strengthened when the new TAFE facility is developed at the Port of Sale precinct, which is expected to attract increased numbers of young persons from the Sale, Wurruk and Longford area, as well as the wider region.

In addition, the Department of Education has indicated that it intends to establish a new education precinct to serve the long term needs of the community and upgrade existing facilities. It is anticipated that the establishment of this facility will improve the education offer of Sale and, together with the new TAFE facility, assist in attracting and retaining young families in the area.

Objective 1

To provide the community with access to necessary human services.

Strategy

- Focus community infrastructure and human services in the larger towns of the Shire to maximise resource use and efficiencies.
Objective 2
To support education within the Shire.

Strategies
- Facilitate the development of the Education Precinct in Sale.
- Facilitate the provision of education facilities where they are accessible, integrated with existing and emerging residential communities and can best serve the needs of current and future communities.
REFERENCE DOCUMENTS

The following strategic studies have informed the preparation of this planning scheme. All relevant material has been included in the Scheme. Decision makers should use these for background research only. Material in these documents that potentially provides policy guidance on decision making but which is not specifically referenced to by the Scheme, should not be given any weight.

- Assessment of Agricultural Quality of Land in Gippsland, Swan and Yallum, 1984
- City of Sale Restoration and Conservation Guidelines, May 1983
- City of Sale Heritage Study, March 1994
- Coastal Spaces Landscape Assessment Study, Municipal Reference Document 2006
- Coastal Spaces Landscape Assessment Study, State Overview Report 2006
- East Gippsland Regional Catchment Strategy
- Gippsland Lakes Coastal Action Plan, 1999
- Gippsland Lakes Future Directions and Action Plans, 2002
- Gippsland Lakes Shore Erosion and Revegetation Strategy, Department of Natural Resources and Environment, Gippsland Coastal Board, 2002
- Group accommodation and Safety guidelines, Country Fire Authority, February 1997
- Guidelines for the Assessment of Heritage Planning Applications – Port Albert and District, 2002
- Healthy by Design: A planners’ guide to environments for active living, National Heart Foundation of Australia, 2004
- Heyfield Low Density Residential Land Supply Study, March 2017
- Heyfield Structure Plan, December 2011, including update; Strategic Justification Firebrace Road August 2013
- Infrastructure Design Manual (IDM)
- Integrated Coastal Planning for Gippsland – Coastal Action Plan, Gippsland Coastal Board
- Longford Development Plan, November 2015
- Mapped Salinity Discharge and Potential for Recharge within the Wellington Shire and showing Domestic Water Supply Catchments, Department of Natural Resources and Environment
- Planning conditions and guidelines for subdivisions, Country Fire Authority, September 1991
- Port Albert Conservation Study, 1982
- Port Albert Masterplan, 2002
- Port Albert & Palmerston Urban Design Guidelines, 2007
- Recreational accommodation and Safety Guidelines, Country Fire Authority, February 1997
- Rosedale Structure Plan, 7 August 2012
- Sale and Region Business Opportunities Study, 2003
- Sale, Wurruk and Longford Structure Plan, 2010 and updates; Relocation of Sale Greyhound Racing Club Strategic Justification (NBA Group, 2014)
- Sale CBD Precinct Plan, 2010
- Siting and Design Guidelines for Structures on the Victorian Coast, 1998
- *Stratford Townscape Study, 1993*
- *Victorian Coastal Strategy, 2014*
- *Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach, February 2007*
- *Wellington Shire Council, Golden Beach/Paradise Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007*
- *Wellington Shire Heritage Study: Stage 1, May 2005*
- *Wellington Shire Stage 2 Heritage Study, September 2016 (amended August 2017)*
- *Wellington Shire Stormwater Management Plan, 2002*
- *West Sale Airport Master Plan Update 2017 (or any superseding documents)*
- *West Sale Aerodrome Public Authority Management Agreement, June 2003 (or any superseding documents)*
- *West Gippsland Regional Catchment Strategy 2013 (or any superseding document)*
- *Wellington Shire Rural Zones Review, Volume 1 and 2, January 2009*
LOCAL PLANNING POLICIES

Wellington Shire Policy Framework

Policies are designed to provide a framework for decision making on land use or development issues in the Wellington Shire. Policies have an origin in the Municipal Strategic Statement. The Policies assist in the application of the Wellington Strategy Plan and the administration of the Wellington Planning Scheme.

These policies are framed around various policy issues. Within each policy, strategic directions are provided. In some cases, particular policy requirements follow, to provide more detailed information on Council’s requirements for specific use or development, or additional measures at specific locations.

Policies are not static and will be further refined and developed over time. Detailed policies will be developed to address specific matters as required. Policies have statutory effect through their incorporation in the Wellington Planning Scheme.
SPECIAL WATER SUPPLY CATCHMENT AREAS POLICY

This policy applies to all land within a Special Water Supply Catchment Area as defined in the *Catchment & Land Protection Act 1994* and land designated ‘Irrigated Land’ on the following plan titled ‘Proclaimed water supply catchments and irrigation area’.

Policy basis

The supply of quality water for a range of uses including human consumption, domestic, rural irrigation, and industrial activities depends on sound management of water supply catchments. As most water supply catchments are large and water take-off tends to occur low down in the catchments, it is particularly important that land use or development close to the take-off sources is strictly controlled.

In managing water supplies, water authorities are concerned to ensure that land and water management practices do not impair the quality of water. In particular, such practices must not lead to an increased occurrence of blue green algal blooms. It is accepted that one of the key factors leading to the development of algal blooms is excess quantities of the plant nutrients phosphorous and nitrogen. Phosphorus, in particular, plays a key role.

Substantial areas of rural land in the Wellington Shire are located in catchments that are used to provide water for urban, domestic, and irrigation water supply. Due to the extent of these catchments and the importance of land in them for rural production, it is not considered appropriate to apply the Rural Conservation Zone to those areas or to apply an overlay which would require permits for all works and development.

Provisions of the Farming Zone, Rural Conservation Zone and Rural Living Zone provide that a permit is required for any buildings within 100 metres of a waterway, wetlands or designated floodplain. In addition, referral requirements in the General Provisions of the Scheme specify that an application to use or develop land within a Special Water Supply Catchment Area should be referred to the relevant water authority.

Objectives

To protect water quality and quantity in catchments used for domestic and rural water supply, and to protect aquifer recharge areas.

To manage land use or development in water catchments to ensure that they do not have off-site effects which could adversely affect water quantity.

To minimise residential development and intensive farming activity in water supply catchments and aquifer recharge areas, particularly near water supply take-off points.

To encourage retention of natural vegetation and the establishment of new vegetation cover.

To encourage farm practices that minimise nutrient inputs to waterways and to encourage the development of whole farm planning.

To encourage new development proposals which result in reduced nutrient flows.

Policy

It is policy that when considering an application to use or develop land within a Special Water Supply Catchment Area, Council will have regard to the likely impacts of the proposed use or development on water quality and quantity in the catchment.

- New development proposals should not lead to an increase in the amount of nutrients reaching streams, surface water bodies and groundwater.

- Any application to use or develop land within a Special Water Supply Catchment Area will be referred to the relevant water authority and/or catchment management authority. These include Southern Rural Water, Gippsland Water, East Gippsland Catchment Management Authority, and the West Gippsland Catchment Management Authority.
Any application to construct a building within 100 metres of a waterway or wetland for a use which would generate effluent should include evidence that the building site is capable of containing an appropriate water treatment system by providing either a Soil Percolation Test in accordance with Appendix B of *the Code of Practice - Septic Tanks On Site Domestic Wastewater Management*, EPA Publication No. 451, March 1996 (as amended); or an approved land capability assessment including assessment of the effluent disposal system in accordance with the requirements of the “Code of Practice - Septic Tanks”.

- Subdivision and intensive farming activities in water supply catchments, especially in the lower areas of water supply catchments near take-off points will be discouraged.

- Subdivision and intensive farming activities in aquifer recharge areas will be discouraged.
RURAL POLICY

This policy applies to land in the Farming Zone, Rural Conservation Zone and Rural Activity Zone.

Policy basis

The following factors are evident in the rural areas of the Shire:

- Agricultural and timber industries are of fundamental importance to the Shire’s economic prosperity.
- Productive agricultural land, including the Macalister Irrigation District and the extensive dryland areas, is the cornerstone of the Shire’s agricultural sector.
- Infrastructure for access to water is crucial, as without irrigation water, much of the agricultural land within Wellington Shire has lower productivity.
- Fragmentation and loss of productive agricultural land from production will diminish the value of the Shire’s agricultural sector.
- Small lot subdivision and houses in rural areas can cause problems including:
  - Long term loss of strategically important agricultural land;
  - Conflicting lifestyles and expectations of people with non agricultural backgrounds and farming land owners;
  - Land use conflict; including opposition to traditional farming practices
  - Poor management of small lots (including control of animals and weeds) where productive use is not the primary objective of land management;
  - Increased demands for urban based services in outlying areas which cannot be provided effectively or efficiently;
  - Detriment to environmental or landscape character values caused by the proliferation of houses and associated outbuildings and earthworks.

Objectives

To protect agriculture and agricultural land from inappropriate encroachment by urban and non-production based rural land use and settlement.

To discourage the creation of small lots on farming properties.

To encourage the consolidation of farm lots for more efficient agricultural production.

To discourage dwellings on small lots that do not support and comprise rural production activities and operations.

To ensure that inappropriate small rural lot development does not occur in areas of environmental significance and sensitivity.

To discourage subdivision which re-aligns boundaries, particularly in irrigated areas, for the purpose of creating small lots for housing purposes.

To ensure that the infrastructure for getting water to agricultural land is not compromised.

To discourage the use and development of agricultural land that would be incompatible with its sustainable use for ongoing agricultural production.
Policy

It is policy that the following matters will be taken into account when considering applications to subdivide, use or develop land within the Farming Zone, Rural Conservation Zone or Rural Activity Zone.

Subdivision

- Subdivision of rural land should be strongly discouraged unless it can be demonstrated that it will facilitate and provide greater flexibility for continued agricultural production.
- Encourage the consolidation of farming operations which support agricultural viability and environmental sustainability.
- Boundaries should only be realigned to: a) make minor adjustments including taking into account topographical or public infrastructure features; or b) support more productive agricultural outcomes particularly through farm consolidation.
- Realignment of boundaries should not create additional subdivision potential.
- The area of land remaining after a small lot is created should comply with the minimum lot size specified in the relevant zone. An agreement under Section 173 of the Planning and Environment Act 1987 should be entered into to restrict the ability to use the small lot provision again in respect of the effected land.
- House lot excision that is likely to lead to such concentration of lots as to change the general use or development of the area where this is not consistent with the purpose of the zone should not be permitted.
- House lot excisions should only create a lot for an existing and long established farm house where the owner seeks to remain on the land.
- Discourage creation of irregular shaped lots which do not support efficient agricultural practices.
- Small rural lots should be located to minimise impact on significant environmental features such as remnant vegetation, wetlands, coastal reserves and waterways and should be strongly discouraged in domestic water supply catchment areas.
- Small rural lots should support ongoing agricultural production and be located adjacent to sealed roads and be close to utilised community services.
- Small rural lots intended for housing purposes should generally have a maximum size of 1 hectare on irrigated land and 2 hectares elsewhere.
- Applications for creation of small rural lots should be accompanied by a detailed report that fully addresses all the relevant issues identified within the Decision Guidelines of the zone.

Housing

- The use and development of dwellings should be strongly discouraged unless it can be demonstrated that the dwelling is necessary for carrying out an economically viable and sustainable rural activity on the land, and where the sustainability of the agricultural resource is not threatened by the use of the land for housing.

Tourism

- Encourage new opportunities for rural based tourism enterprises which are compatible with agricultural/primary production, environmental and landscape characteristics of the area.
- Rural based tourism enterprises should be located in areas with appropriate infrastructure provision such as roads, water, electricity and communications.

Timber

- Encourage the establishment of value adding timber production activities.
Encourage timber production and agroforestry on marginal agricultural land.

Other

- Ensure that use or development in rural areas, including advertising signage, is compatible with and has an association with surrounding agricultural activity.
- Discourage use and development adjacent to main roads in rural areas that is unrelated to agriculture or rural based tourism.
- Discourage the use and development of productive agricultural land, particularly in the Macalister Irrigation District, for dog breeding and boarding facilities.
- Strongly discourage commercial, industrial and other land uses that do not demonstrate a direct link with ongoing and sustainable agricultural land use or rural dependent tourism enterprises. Such uses should be encouraged to locate in urban areas.
HERITAGE POLICY

This policy applies to all land covered by the Heritage Overlay, and places included on the Victorian Heritage Inventory.

Policy basis

This policy:

- Applies the design and built form State Planning Policy Framework objective about heritage in Clause 15.03 to local circumstances.
- Implements the findings of the *Port Albert Conservation Study, 1982, City of Sale Heritage Study, 1994, Wellington Shire Heritage Study: Stage 1, May 2005,* and *Wellington Shire Stage 2 Heritage Study, September 2016 (amended August 2017).*

Objectives

To provide direction as to the appropriate manner to undertake works in heritage places.

To encourage a community climate of respect for, and appreciation of, Wellington Shire’s heritage, including buildings, gardens, trees, and other features of importance.

Policy

It is policy to:

Exercising discretion

- Encourage the conservation of places of heritage significance. This includes places of individual local significance as well as buildings or features that contribute to the significance of a place.
- Discourage the demolition or removal of buildings or features associated with a heritage place unless it can be demonstrated to the satisfaction of the responsible authority that, as appropriate:
  - The building or feature to be demolished or removed is not significant, or
  - The building or feature is not of primary significance and its demolition or removal will not adversely affect the significance of the place, or
  - The building or feature is not of primary significance and its demolition or removal will enable new development that will support the viability of the historic use of the place, or
  - It will assist in the long term conservation of the place.

The poor condition or low integrity of a heritage place should not be used as justification for its demolition, particularly if in the opinion of the responsible authority the condition of the heritage place has deliberately been allowed to deteriorate.

- Ensure that the immediate environs of heritage places is only developed or used in a manner that complements the setting or context of the buildings or other features that contribute to the significance of the place.
- Promote the tourist potential of places of historic significance, provided that any proposed development or use associated with such promotion is compatible with all elements of this policy.
- Encourage the restoration of features that contribute to the significance of heritage places.
- Encourage the reconstruction of features historically associated with places based on clear evidence of a previous form. Where evidence of a previous form is not forthcoming, introduced elements should be based on typical elements appropriate to the particular building or place.
• Require an archaeological assessment of the place if it is included on the Victorian Heritage Inventory.

• Refer an application to Heritage Victoria for comment if it is included on the Victorian Heritage Inventory.

Aboriginal cultural heritage

• In considering an application to develop, or re-zone land, the responsible authority will have regard to the Aboriginal cultural resource management grid map and guidelines provided by Aboriginal Affairs Victoria.

• Ensure that applicants proposing to develop, or re-zone, land in areas where there is a known site, or the potential for Aboriginal archaeological sites to occur, are requested to include a report from a suitably qualified archaeologist demonstrating that the impact of the proposed developments on Aboriginal cultural heritage values has been addressed.

Decision guidelines

The responsible authority will consider, as appropriate:

• The impact upon the significance of a heritage place and, in particular, whether the proposal will diminish the significance of the place.

• Whether any new buildings or works are designed and sited in a manner that will complement the buildings or features that contribute to the significance of a heritage place.

• The views of Heritage Victoria for any place that is included on the Victorian Heritage Inventory.

• Whether the proposal is consistent with the guidelines in the City of Sale Restoration and Conservation Guidelines, May 1983 and the Stratford Townscape Study 1993, where relevant, when assessing applications in the town of Sale and Stratford.

• Whether the proposal is consistent with the guidelines contained in the Guidelines for the Assessment of Heritage Planning Applications – Port Albert and District (2002) when assessing applications in the town of Port Albert.

• Any other heritage or development guidelines adopted by Council.

Policy reference

City of Sale Heritage Study, 1994

The City of Sale Restoration and Conservation Guidelines, May 1983

City of Sale Heritage Guidelines

Port Albert Conservation Study, Graeme Butler, 1982

Guidelines for the Assessment of Heritage Planning Applications – Port Albert and District (2002)

Stratford Townscape Study, 1993

Wellington Heritage Study: Stage 1, May 2005

Wellington Shire Stage 2 Heritage Study, September 2016 (amended August 2017)
CAR PARKING POLICY

This policy applies to all land and to applications where the planning scheme allows the responsible authority to issue a permit to reduce the number of spaces required to be provided under Clause 52.06.

Policy basis

The General Provisions of the scheme relating to car parking at Clause 52.06 set out a number of car space rates for particular uses. Many of the specified rates are significantly higher than has historically been applied within the Wellington Shire, where there is an adequate provision of car spaces.

Objectives

To provide greater certainty as to the rate of car spaces that should be provided for specified uses.

Policy

It is policy that the following table sets out the number of car spaces which the responsible authority may require to be provided according to the use of land.

Car parking table

<table>
<thead>
<tr>
<th>Use</th>
<th>Car Space Measure</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop other than specified in this table</td>
<td>Car spaces to each 100 sq m of leasable floor area.</td>
<td>3</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Car spaces to each seat available to the public.</td>
<td>0.25</td>
</tr>
<tr>
<td>Office other than specified in this table</td>
<td>Car spaces to each 100 sq m of net floor area.</td>
<td>2</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel or Tavern if the floor area available to the public exceeds 150 sq m</td>
<td>Car spaces to each 100 sq m of bar floor area available to the public, plus</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Car spaces to each 100 sq m of lounge floor area available to the public.</td>
<td>20</td>
</tr>
<tr>
<td>Industry other than specified in this table</td>
<td>Car spaces to each 100 sq m of net floor area.</td>
<td>1.5</td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>Car spaces to each practitioner.</td>
<td>4</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swimming pool other than in conjunction with a dwelling</td>
<td>Car spaces to each 100 sq m of site.</td>
<td>3.5</td>
</tr>
</tbody>
</table>
AERODROME AND ENVIRONS POLICY

This policy applies to applications to use and develop land covered by the Airport Environs Overlay within and/or around the East Sale Royal Australian Air Force (RAAF) Base, West Sale Airport and the Parkside Aerodrome at Yarram.

Policy basis

The East Sale RAAF Base and West Sale Airport are significant developments in the Shire and provide a range of important employment, transport, and economic development opportunities. The Parkside Aerodrome at Yarram is an important transport facility for the community of Yarram and district, and provides some related development opportunities.

Objectives

To ensure that the safety and efficiency of aircraft operations is not prejudiced by any new use or development of land nearby.

To ensure that any detrimental effects of aircraft operations are taken into account in planning the use or development of land nearby.

To provide for a range of education and industry opportunities in association with aeronautical activities conducted at the aerodromes.

Policy

It is policy that the following matters be taken into account when considering applications to use or develop land within and around the East Sale Royal Australian Air Force (RAAF) Base, the West Sale Airport and the Parkside Aerodrome at Yarram:

General:

- The effect of the proposal on the amenity of area.
- The need to co-ordinate the planning of areas close to the aerodrome.
- The suitability of building design and external building materials.
- The height of the proposed development.
- Whether the grant of a permit would detrimentally affect the operational safety of aircraft or the opportunity for the reasonable future expansion of the aerodrome.
- Buildings within a designated Australian Noise Exposure Forecast area should be considered in accordance with the provisions of the Standards Association of Australia, AS 2021-1994.

East Sale RAAF Base:

- Whether the land is located within a designated area on the:
  - East Sale - Explosive Ordinance Safe Guarding Map, issue No. 4.
  - RAAF Base East Sale – Vic. Defence (Area Control) Regulations Gazetted Areas (overall), Drawing No. DGG-AF 96/088.
  - and the implications of associated controls/guidelines.

West Sale Airport

- Whether the site relevant to the application is located within the designated area for development as shown on the West Sale Airport Master Plan Update 2017 (or any superseding documents).
- Whether the application will adversely affect the functionality of the West Sale Aerodrome.
Whether the application will adversely impact sites specified as having significant flora and fauna values as outlined in the West Sale Airport Master Plan Update 2017 (or any superseding documents) and the West Sale Aerodrome Public Authority Management Agreement, June 2003 or any superseding documents.

**Policy reference**

- West Sale Airport Master Plan Update 2017 (or any superseding documents).
- West Sale Aerodrome Public Authority Management Agreement, June 2003 (as amended) or any superseding documents.
COAL RESOURCES POLICY

This policy applies to land covered by the State Resource Overlay – Schedule 1 (Gippsland Brown Coalfields).

Policy basis

The Municipal Strategic Statement describes the strategic National and State importance of the coal resource as an asset for energy purposes. The winning of coal as an industry is a significant land use activity in the municipality.

Objectives

To ensure that the use and development of land overlying the coal resources recognises the need to conserve and utilise the coal resource in the context of overall resources, having regard to social, environmental, physical and economic considerations in order to ensure a high quality of life for residents.

To facilitate orderly coal development so that the resource is utilised in a way which is integrated with the State and Local Planning Policy Frameworks.

Policy

It is policy that:

Natural environment

- Environmental quality and protection against pollution is a primary consideration.
- Planning for coal resource development or use takes into account areas and features of recognised value for nature conservation, recreation and tourism, and landscape quality.
- Planning, development and management of the coal resource takes into account, and is compatible with Statements of Environment Protection Policy.
- Coal excavations, overburden dumps, and other associated development be planned, managed and progressively rehabilitated to the highest practicable future use.
- Whenever practicable and cost effective, the use of quarry or other materials recovered from coal development areas prior to or during their development be encouraged.
- Buffers are used to provide separation between coal development and associated areas and residential or other sensitive areas to alleviate the adverse effects of one upon the other.

Social planning

- Coal resource development or use takes into account the interests of the existing and future Victorian community, the needs and views of the local community, equity in the provision and distribution of employment, housing and community services and the likely social and environmental impacts of development, and should incorporate strategies to ameliorate adverse effects and promote the positive benefits of developments.

Water resources

- Catchments of the river systems and underground waters be planned and managed to ensure an adequate supply and quality of water for development, management and use of water resources, complementing and integrated with coal resource planning in both the municipality and regional catchments.

Timber production

- Timber production be planned in a manner which will complement the orderly development of the coal resource.
- Timber production takes into account the need for effective fire protection for the coal resource.
**Transport**

- Transport corridors be protected and maintained.

**Rural areas**

- Land uses in the coal resource area prior to coal development, which are productive and minimise the social and financial cost of coal development, will be encouraged.
- Extensive animal husbandry and other rural land uses will be strongly encouraged in areas of potential coal production.
- Residential, rural living, commercial or non coal related industrial land use and development will be strongly discouraged in areas of potential coal production.

**Decision guidelines**

- A planning authority in preparing an amendment and a responsible authority in deciding an application will consider:
  - When the land is expected to be required for development of the coal resource.
  - Whether development of the coal resource may be prejudiced.
  - The nature and scale of development.
  - The relationship between the proposed use or development and development of the coal resource.
  - Whether the proposed use or development can be located elsewhere.
  - Protection of the policy area from fire.

- If policy statements relating to one land use conflicts with another, then:
  - In the coal resource area, the extraction and use of coal should be the primary consideration. At every stage of development of that coal, due account should be taken of the other principal resources of the coal resource area. Land uses which do not impede that objective may be considered in the policy area.
  - In the identified coal related buffer areas the mutual protection of urban amenity and coal development areas are to be the primary consideration.
  - In existing urban areas and land identified for urban purposes, urban land uses should be the primary consideration.
  - In high quality agricultural areas, the use of land for rural activities is to be the primary consideration, however, coal development remains the primary consideration in relation to those areas identified as a coal area or for that land required for facilities for, or associated with, the use of that coal.
  - Timber production has a lesser priority than the extraction of coal and agricultural land use activity, unless a proper economic assessment shows it to be viable.
  - Within areas zoned for urban use or development and areas identified for future urban use or development, low density residential and rural living use or development have a lower priority than timber production, the extraction of coal, high quality agricultural activity and urban land uses.
COAL BUFFERS POLICY

This policy applies to land covered by the Environmental Significance Overlay – Schedule 3 (Urban and Construction Buffer)

Policy basis

The coal industry is of national and State importance due to its use as the primary energy source for the electricity generating industry in Victoria. Buffers protect those elements of the policy area, such as urban settlements, from the impact of the radical change to the environment from the coal industry.

The coal buffers identified are areas between urban development and existing or future coal resource development.

The urban buffer distance has been established on the basis of the known impacts of earth subsidence, noise, dust, fire hazard, and visual intrusion. Buffer areas extend for a distance of 750 (+75) metres from any urban settlement boundary to the perimeter of a 250 metre wide coal operational area. The total separation area between an urban settlement boundary and the crest of any future open cut development should not be less than 1 kilometre in width.

Objectives

To ensure that the use, development, and management of land in coal resource areas mutually protects urban amenity and coal resource development as well as the continued social and economic productive use of land.

To minimise land use conflict between the coal resource development and other development or use in the municipality.

To ensure that adequate spatial separation is provided between existing and proposed urban and industrial uses and existing or proposed coal development so as to reduce the likely effects of earth subsidence, the emission of noise, dust, fire hazard, and visual intrusion.

To provide for uses or developments which are compatible within a buffer area and for services ancillary to coal development within the buffer area.

To maximise the protection of the coal resource to ensure resource security in the future.

Policy

It is policy that:

- On the basis of known impacts of earth subsidence, noise, dust, fire hazard, and visual intrusion an adequate buffer area between an urban settlement boundary and the crest of any existing or future open cut development is to be not less than one kilometre in width.

- Proposals for residential, rural living, commercial or non-coal related industrial land use and development be strongly discouraged.

- The subdivision of land to create allotments of less than one hectare be strongly discouraged.

- The subdivision of land which would create average allotment densities of more than one allotment per 10 hectares be strongly discouraged.

- The construction of a house on an allotment of less than one hectare created prior to 13 April 1988 be strongly discouraged.

- The construction of a house on land more than 200 metres from the nearest urban side of the urban buffer boundary be strongly discouraged. If the following criteria are met, however, the responsible authority may consider an application to construct a house more than 200 metres from the nearest urban side of the urban buffer boundary. The criteria are that the land:
  - Is vacant.
  - Existed as a separate lot prior to 13 April 1988.
- Is not capable of having a house erected within 200 metres of the nearest urban side of the urban buffer boundary.

- Uses of land in the policy area which are high amenity and low intensity uses, such as farming and broad scale recreation uses, will be encouraged.

- Rural living may be appropriate, subject to assessment, within 200 metres of the nearest urban side of the buffer area boundary.

**Decision guidelines**

- A planning authority in preparing an amendment and a responsible authority in deciding an application will consider the following:
  - The desirability of using land in the buffer area for social and economically productive purposes.
  - The protection of the urban area from the adverse impacts of coal development.
  - The protection of coal development areas from fire.
  - The establishment of a character in the buffer area of low intensity and high amenity land uses.

**Policy references**

Framework for the Future – Latrobe Region (October 1987) – Minister for Industry, Technology and Resources and the Minister for Planning and Environment.
NINETY MILE BEACH POLICY

This policy applies to the use, development and subdivision of land along the Ninety Mile Beach between The Honeysuckles and Paradise Beach, as shown on the following Policy Plan.

Policy basis

Coastal areas in proximity to existing population centres, and offering opportunities for development, are under increasing development pressure. The coastal subdivisions of the Ninety Mile Beach have for many years been considered inappropriate due to lack of infrastructure and impacts on the coastal and lakes environment.

This policy forms the basis for the long term land use and development intentions for the Ninety Mile Beach. Council will continue to monitor and review this policy and the provisions of the Planning Scheme to ensure they remain consistent with the implementation of the Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach. This policy is consistent with the Victorian Government’s Victorian Coastal Strategy 2014.

Vision

The Wellington Coast will provide for the settlement, recreation, tourism and environmental aspirations of the community. Settlement patterns and development outcomes will respond to the values and capacities of the natural environment, the cost of infrastructure, and which seek to include equitable solutions for all ratepayers and landowners in the Shire.

Objectives

To provide direction as to the most appropriate manner in which to use, develop and subdivide land along the Ninety Mile Beach.

To encourage orderly development that responds appropriately to environmental values and that minimises adverse impacts on the coastal and lakes environment.

To focus development in defined settlement boundaries comprising urban nodes and low density residential areas, and to ensure areas outside settlement boundaries remain largely undeveloped.

To provide and improve access to utilities, community services and infrastructure where appropriate.

To set aside areas that are subject to inundation, that have coastal values and that have not been substantially modified, for environmental management.

To provide for recreation, tourism and related commercial activities in designated areas.

Policy

General

- To discourage development that adversely impacts on the coastal and lakes environment.
- To discourage development that would result in unacceptable risk to people and property from wildfire.
- To maintain and enhance the conservation and recreation values of the 90 Mile Beach foreshore.
- To provide for new or improved infrastructure in defined locations, including roads, utility and community services, particularly the provision of reticulated water and sewerage.
- To ensure development is connected to reticulated sewerage or includes the provision of on-site effluent disposal which minimises impacts on groundwater.
- To facilitate development in accordance with the following Policy Plan.
Areas within Settlement Boundaries:

Urban Nodes and Low Density Residential

- To allow for residential and low density residential development within the defined settlement nodes at Golden Beach, Paradise Beach, Delray Beach, and at The Honeysuckles.
- To encourage the development of the Golden Beach Town Centre for the purposes of retailing and other complementary commercial, entertainment and community uses.
- To provide for the upgrade of the local road network in the residential areas of Golden Beach, Paradise Beach, Delray Beach and The Honeysuckles to urban standards, including upgrading of the associated stormwater management system.
- To provide for the establishment and upgrade of services including reticulated sewerage and water, to the Golden Beach, Paradise Beach, Delray and The Honeysuckles settlements.

Areas outside Settlement Boundaries:

Glomar Beach Rural Conservation

- To limit development to completed restructured lots where it does not adversely impact on the coastal and lakes environment and in locations that are not vulnerable to environmental impacts consistent with the Restructure Plans in Clause 45.05.

Rural Conservation

- To discourage urban development within areas designated as rural conservation.
- To encourage the consolidation of lots to protect the coastal landscape and environmental values of the area and consistent with the Restructure Plans in Clause 45.05.

Public Conservation

- To discourage any development in areas identified for Public Conservation, principally the coastal dunes and inappropriate subdivision areas subject to inundation and flooding.
- To encourage inappropriate subdivision areas subject to inundation and flooding, with significant coastal values, or that have not been substantially modified, to be used for public parks or areas for environmental conservation.

Decision Guidelines

A planning authority in preparing an amendment and a responsible authority in deciding an application will consider:

- Whether the proposal is consistent with the Ninety Mile Beach Development and Subdivision Controls, Golden Beach to Glomar Beach, March 2012, including the location and density of development and the provision of utility services.
- The likely impact of subdivision and/or development on coastal character, environmental values, and addresses constraints of the locality and the site, including:
  - The extent and type of vegetation cover;
  - Impacts of effluent disposal and stormwater runoff on surface and ground water quality and surrounding wetlands;
  - The degree of excavation and/or fill required; and
  - Impacts on important viewsheds.
- The impact on the road system and the adequacy of vehicular access, egress and provision of on-site parking.
• The impact of wildfire on the development and the adequacy of measures taken to maximise the safety of people and property.

• Any other development guidelines adopted by Council.

Policy Reference

*Ninety Mile Beach Development and Subdivision Controls, Golden Beach to Glomar Beach, March 2012*
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.
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.
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>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>Dwellng (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 THE LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares)</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Dimensions above which a permit is required to construct an outbuilding**

None specified
**MIXED USE ZONE**

Shown on the planning scheme map as **MUZ** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

**Objectives**

A schedule to this zone may contain objectives to be achieved for the area.

**Table of uses**

**Section 1 – Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal 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>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Materials recycling</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.
Class of application

- Meets the requirements in the following standards of Clause 54:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**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.

32.04-10
26/10/2018
VC152

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

32.04-11
26/10/2018
VC152

Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General
Any application requirements specified in a schedule to this zone.

Use for industry and warehouse
Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use
An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review

Subdivision
An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
**SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE**

Shown on the planning scheme map as **MUZ**.

### WELLINGTON MIXED USE AREAS

1. **Objectives**
   None specified.

2. **Clause 54 and Clause 55 requirements**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3. **Maximum building height requirement**

None specified.

4. **Exemption from notice and review**

None specified.

5. **Application requirements**

None specified.

6. **Decision guidelines**

None specified.
TOWNSHIP ZONE

Shown on the planning scheme map as TZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential development and a range of commercial, industrial and other uses in small towns.
To encourage development that respects the neighbourhood character of the area.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone may contain the neighbourhood character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>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>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Dwelling – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Refuse disposal</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
</tbody>
</table>
32.05-3  Use for a dwelling or a dependent person’s unit
A lot may be used for a dwelling provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.
- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

32.05-4  Use for industry and warehouse

Amenity of the neighbourhood
The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.05-5  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.

<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 lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:
- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:
- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:
- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.
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.

WELLINGTON TOWNSHIPS

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

No

1.0 Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

2.0 Maximum building height requirement for a dwelling or residential building

None specified.

3.0 Application requirements

None specified.

4.0 Decision guidelines

None specified.
RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ** with a number (if shown).

**Purpose**
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide housing at increased densities in buildings up to and including four storey buildings.
To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
To ensure residential development achieves design objectives specified in a schedule to this zone.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**Design objectives**
A schedule to this zone must contain the design objectives to be achieved for the area.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>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>
</tbody>
</table>
## Condition

### Use

- Rooming house: Must meet the requirements of Clause 52.23-2.
- 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>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>Office (other than Medical centre)</td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, 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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Bottle shop and Convenience shop)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<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>Bottle shop</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>Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
</tbody>
</table>
Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into lots each containing an existing building or car parking space where:

- 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:
<table>
<thead>
<tr>
<th>Class of application</th>
<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>
<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 less than 300 square metres.

A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provisions specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development: Construct an outbuilding or extend a dwelling if the development:</td>
<td></td>
</tr>
<tr>
<td>Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.
If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

#### Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. 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.

32.07-6
27/03/2017
VC110

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.

32.07-7
26/10/2018
VC152

Residential aged care facility
Permit requirements
A permit is required to construct a building or construct or carry out works for a residential aged care facility.
A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.07-8
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 32.07-2.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
</tbody>
</table>
- The building or works is not associated with a dwelling. | |
- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: | |
  - A10 Side and rear setbacks. | |
  - A11 Walls on boundaries. | |
  - A12 Daylight to existing windows. | |
  - A13 North-facing windows. | |
  - A14 Overshadowing open space. | |
  - A15 Overlooking. | |
For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. | |
If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met. | |
Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
- The siting and use of existing and proposed buildings.
- Adjacent buildings and uses.
- The building form and scale.
- Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

**32.07-12**

**Exemption from notice and review**

**Subdivision**

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**32.07-13**

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

**Subdivision**

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

**Dwellings and residential buildings**

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.
Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ1.

LAKE GUTHRIDGE PRECINCT - MCINTOSH DRIVE

1.0 Design objectives

To create a visually prominent entrance to Sale from the South Gippsland Highway, through iconic built forms, high quality materials and the provision of main access points.

To contribute to the aesthetic, heritage and landscape qualities of Lake Guthridge and its environs through responsive built form utilising the views, and the use of high quality materials.

To support use and development which creates an active lake frontage along McIntosh Drive for pedestrians and recreational users.

2.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>Setback from South Gippsland Highway must be at least 6 metres. Setback from McIntosh Drive must be at least 3 metres. Note: Both South Gippsland Highway (York Street South) and McIntosh Drive are frontages.</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>For the northern boundary of 62 York Street South (CA 4A SEC A) and the southern boundary of 48 York Street South (Lot 1 TP 2444623) - 3 metres, plus 0.3 metres for every metre of height over 3.6 metres, plus 1 metre for every metre of height over 6.9 metres. Standard A10 and B17 apply to all other side setbacks. Note: Site does not have a rear boundary.</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>B28</td>
<td>None specified</td>
<td></td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>A front fence within 3 metres of a street should not exceed 1 metre and must have at least 50% transparency.</td>
</tr>
</tbody>
</table>

3.0 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 15.53 metres Australian Height Datum (AHD).

4.0 Application requirements

The following application requirements apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Plans showing:
  - How the built form addresses the interface with the Lake Guthridge environs and provides an active street frontage to McIntosh Drive.
- How the built form addresses the interface with the South Gippsland Highway (York Street South) and provides an active frontage to that street.
- How access/egress points to the site from the South Gippsland Highway will avoid conflict with pedestrian traffic.
- How proposed vehicular access points from McIntosh Drive will avoid conflict with pedestrians and recreational uses.

- An application for non-residential development must be accompanied by a neighbourhood and site description and a design response as required in Clause 54.
- Plans submitted with the application must show measurements relating to height in Australian Height Datum (AHD).
- Other details as required by the responsible authority.

### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the built form addresses the interface with the Lake Guthridge environs and provides active frontages to both McIntosh Drive and South Gippsland Highway (York Street South).
- The effect of the proposed use on the amenity of the area, in particular, whether the use or development will enhance or detract from the visual and landscape qualities of the adjoining public open space.
- The potential impact on the amenity of existing adjoining buildings.
- The desired outcomes for this area as specified in the Sale, Wurruk & Longford Structure Plan (2010) or any relevant superceding document.
- 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 the built form responds appropriately to the local historic and aesthetic significance as described in the Heritage Citation for the Sale Lake Guthridge Landscape Area Precinct.
- Whether the design, height, setbacks and appearance of buildings appropriately respond to adjoining properties and surrounding context of the Lake Guthridge environs and South Gippsland Highway as a prominent entrance point to Sale.
- The effect of traffic likely to be generated on roads.
- Supportive Environments for Physical Activity (SEPA) principles of healthy urban design – refer to the Healthy by Design Guidelines.
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>Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal production, Animal training, Apiculture and Horse stables)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>

**Convenience shop**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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>
</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.

<table>
<thead>
<tr>
<th>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</th>
<th>Clause 59.03</th>
</tr>
</thead>
</table>

32.08-6
31/07/2018
VC148

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is</td>
<td>Clause 59.03</td>
</tr>
<tr>
<td>associated with 2 or more dwellings on a lot or a residential building.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
</table>

Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:

- The building or works is not associated with a dwelling.
- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.08-10
26/10/2018
VC152

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; 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.

WELLINGTON GENERAL RESIDENTIAL AREA

1.0 Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement for a dwelling or residential building

None specified

4.0 Application requirements

None specified

5.0 Decision guidelines

None specified
32.09
31/07/2018
VC148

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.

32.09-1
27/03/2017
VC110

Neighbourhood character objectives

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

32.09-2
26/10/2018
VC152

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 be located in an existing building.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</td>
<td></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>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>• 3000 square metres.</td>
<td></td>
</tr>
<tr>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
<td></td>
</tr>
<tr>
<td>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.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</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:
### Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.

- The subdivision does not create a vacant lot.

### Construction or extension of a dwelling or residential building

#### Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or

- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and

- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column I is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct 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.

### Exemption from notice and review

**Subdivision**

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

The purpose of this zone.

The objectives set out in the schedule to this zone.

Any other decision guidelines specified in a schedule to this zone.

The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

The pattern of subdivision and its effect on the spacing of buildings.

For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.

For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development

In the local neighbourhood context:

Whether the use or development is compatible with residential use.

Whether the use generally serves local community needs.

The scale and intensity of the use and development.

The design, height, setback and appearance of the proposed buildings and works.

The proposed landscaping.

The provision of car and bicycle parking and associated accessways.

Any proposed loading and refuse collection facilities.

The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.

Transitional provisions

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.

Where a planning permit is not required for the construction or extension of a dwelling or residential building:

- A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
- A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

- A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

RESIDENTIAL DEVELOPMENT SOUTH OF STEVENS STREET, SALE

1.0

Minimum subdivision area

Subdivision of the land must be in accordance with Wellington Planning Scheme permit numbers P124/2013 and P373/2012.

A permit may be granted to vary this requirement in the following circumstances:

- The subdivision realigns the boundary between existing lots, provided no new lot or additional subdivision potential is created.
- The subdivision is being undertaken to create land for a road, utility installation or for any other public purpose.

2.0

Permit requirement for the construction or extension of one dwelling on a lot

<table>
<thead>
<tr>
<th>Permit requirement for the construction or extension of one dwelling on a lot</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>5 metres</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>Contained within building envelope as per Diagrams 1 and 2</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>As per Diagrams 1 and 2</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>1 metre</td>
</tr>
</tbody>
</table>

4.0

Number of dwellings on a lot

The number of dwellings on a lot must not exceed one, excluding a dependent person’s unit.

Dependent person’s unit

No more than one dependant person’s unit may be constructed on a lot. This requirement cannot be varied with a permit.

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 4.5 metres above natural ground level or 11 metres above AHD, whichever is the lowest.
Application requirements

None specified.

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The impact of the development on the environment, landscape values and character of Stevens Street and the Ramsar wetlands.
- The height of buildings to ensure that they retain an inconspicuous profile and do not dominate the landscape.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level building forms that follow the natural slope of the land and reduce the need for site excavation or filling.

Diagram 1: Building envelopes/subdivision plan opposite 37-39, 41 Stevens Street, Sale
Diagram 2: Building envelopes and subdivision plan 74 Stevens Street, Sale
INDUSTRIAL 1 ZONE

Shown on the planning scheme map as INIZ.

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. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre. Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Condition</strong></td>
<td>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><strong>Shipping container storage</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>- Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><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>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>- Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><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**

**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 in</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the</td>
<td></td>
</tr>
<tr>
<td>provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under</td>
<td></td>
</tr>
<tr>
<td>the Building Regulations in relation to the buildings within 5 years prior to the</td>
<td></td>
</tr>
<tr>
<td>application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the</td>
<td></td>
</tr>
<tr>
<td>land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and</td>
<td></td>
</tr>
<tr>
<td>the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
Interface with non-industrial areas.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works. This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveways and vehicle parking and loading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
### SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as IN3Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>Must be on land within an urban growth boundary and in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse (other than Fuel depot, Mail centre or Shipping container storage)</td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<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 or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Industry (other than Service industry)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)</td>
<td></td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
Office | The leasable floor area must not exceed the amount specified in the schedule to this zone.

Place of Assembly (other than Carnival and Circus)
Restricted retail premises
Retail premises (other than Shop and Take away food premises)
Utility installation (other than Minor utility installation and Telecommunications facility)

Any other use not in Section 1 or 3

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Hospital
Intensive animal production
Major sports and recreation facility
Motor racing track
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met
Supermarket – if the section 1 conditions are not met

Use of land

Amenity of the neighbourhood
A use must not adversely affect the amenity of the neighbourhood, including through the:
- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:
- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

### Subdivision

**Permit requirement**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space 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:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Clause 59.02

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
### SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
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.</td>
</tr>
<tr>
<td></td>
<td>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>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Rooming house                                                        | Any frontage at ground floor level must not exceed 2 metres.  
|                                                                      | Must meet the requirements of Clause 52.23-2.                                                                                           |
| Shop (other than Adult sex product shop)                             | The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.                                  |
| Tramway                                                              |                                                                                                                                              |
| Any use listed in Clause 62.01                                       | Must meet the requirements of Clause 62.01.                                                                                               |

**Section 2 - Permit required**

<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>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
</tbody>
</table>
Use of land
A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision
A permit is required to subdivide land.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the 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 provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>• Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>• Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Neighbourhood and site description and design response**

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.

**Satisfactory neighbourhood and site description before notice and decision**

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.
This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Application requirements**

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Buildings and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.
### Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**
- The interface with adjoining zones, especially the relationship with residential areas.

**Use**
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**Subdivision**
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

**Building and works**
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

**Transitional provisions**

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
## SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
<th>Maximum leasable floor area (m²) for shop (other than restricted retail premises)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**COMMERCIAL 2 ZONE**

Shown on the planning scheme map as **B3Z, B4Z or C2Z**.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>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></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres. The site must adjoin, or have access to, a road in a Road Zone. Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
</tbody>
</table>
| Warehouse (other than Mail centre)       | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10. |
| Any use listed in Clause 62.01           | Must meet the requirements of Clause 62.01.                                                                     |

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>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></td>
</tr>
<tr>
<td>Supermarket – if the section 1 conditions are not met</td>
<td>The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td></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>
<tr>
<td><strong>Section 3 - Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td></td>
</tr>
<tr>
<td>Accommodation (other than Caretaker’s house, Motel and Residential hotel)</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
</tbody>
</table>

**Use 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.

Class of application
Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:
- Within 30 metres of land (not a road) which is in a residential zone.

Clause 59.04
<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Application requirements**

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Building and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

**General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The interface with adjoining zones, especially the relationship with residential areas.

**Use**

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

**Subdivision**

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

**Building and works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
RURAL LIVING ZONE

Shown on the planning scheme map as RLZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for residential use in a rural environment.

To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 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>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (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>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Dependent person's unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>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>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
</tr>
<tr>
<td>Retail premises (other than Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales, Restaurant and Tavern)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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 1 TO THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ1**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land 0.8 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land 0.4 hectares</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<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>None specified</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
</tbody>
</table>
SCHEDULE 2 TO THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ2**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area</td>
<td>All land</td>
</tr>
<tr>
<td>(hectares)</td>
<td>2.0 hectares</td>
</tr>
<tr>
<td>Minimum area for which no</td>
<td>All land</td>
</tr>
<tr>
<td>permit is required to use</td>
<td>0.4 hectares</td>
</tr>
<tr>
<td>land for a dwelling</td>
<td></td>
</tr>
<tr>
<td>(hectares)</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for</td>
<td>None specified</td>
</tr>
<tr>
<td>which no permit is required</td>
<td></td>
</tr>
<tr>
<td>to alter or extend an</td>
<td></td>
</tr>
<tr>
<td>existing dwelling</td>
<td></td>
</tr>
<tr>
<td>(square metres)</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for</td>
<td>None specified</td>
</tr>
<tr>
<td>which no permit is required</td>
<td></td>
</tr>
<tr>
<td>to construct an out-building</td>
<td></td>
</tr>
<tr>
<td>associated with an existing</td>
<td></td>
</tr>
<tr>
<td>dwelling (square metres)</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for</td>
<td>None specified</td>
</tr>
<tr>
<td>which no permit is required</td>
<td></td>
</tr>
<tr>
<td>to alter or extend an</td>
<td></td>
</tr>
<tr>
<td>existing building used for</td>
<td></td>
</tr>
<tr>
<td>agriculture (square metres)</td>
<td></td>
</tr>
<tr>
<td>Minimum setback from a road</td>
<td>None specified</td>
</tr>
<tr>
<td>(metres)</td>
<td></td>
</tr>
<tr>
<td>Minimum setback from a</td>
<td>None specified</td>
</tr>
<tr>
<td>boundary (metres)</td>
<td></td>
</tr>
<tr>
<td>Minimum setback from a</td>
<td>None specified</td>
</tr>
<tr>
<td>dwelling not in the same</td>
<td></td>
</tr>
<tr>
<td>ownership (metres)</td>
<td></td>
</tr>
</tbody>
</table>

| Permit requirement for      | Land                        |
| earthworks                  | None specified             |
| Earthworks which change the |                          |
| rate of flow or the         |                          |
| discharge point of water    |                          |
| across a property boundary. |                          |
| Earthworks which increase   | None specified             |
| the discharge of saline     |                          |
| groundwater.                |                          |
### SCHEDULE 3 TO THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ3**

<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>None specified</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land 0.4 hectares</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>
### SCHEDULE TO THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ4**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<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>None specified</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
</tbody>
</table>
### SCHEDULE 5 TO THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ5**.

<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>None Specified</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None Specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Area/Dimensions/Distance Land</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None Specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)</td>
<td>None Specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None Specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None Specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None Specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None Specified</td>
</tr>
</tbody>
</table>
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</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</td>
</tr>
<tr>
<td></td>
<td>of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to</td>
</tr>
<tr>
<td></td>
<td>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></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>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, Intensive animal production, Racing dog training, Rice growing and Timber production)</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Dependent person’s unit</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. 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 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></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></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>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where: Each new lot is at least the area specified for the land in the zone or the schedule to the zone. The area of either lot is reduced by less than 15 percent. The general direction of the common boundary does not change.</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Long term lease or licence for accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the area specified as the minimum subdivision area for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

This provision only applies to land in Metropolitan Melbourne.

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for 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 1 TO THE RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ1.

CONSERVATION VALUES

To ensure land use or development occurs in a manner which does not adversely impact on the important environmental characteristics of an area.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Land included in Schedule 1 to the Environmental Significance Overlay - Coastal and Gippsland Lakes Environs.</td>
</tr>
<tr>
<td>All other land.</td>
<td>40 hectares</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<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 where the ground level is to be altered by more than 250mm.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
</tbody>
</table>
SCHEDULE 2 TO THE RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ2.

CONSERVATION VALUES

To protect the environmental and significant landscape values of the Ninety Mile Beach “between settlements area” including the Lake Reeve Islands from inappropriate land use and development.

To ensure the existing uncleared land of the Ninety Mile Beach “between settlements area” is retained as a habitat for a range of fauna and continues to provide a natural corridor between the ocean and Lake Reeve.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Land included in Schedule 1 to the Environmental Significance Overlay - Coastal and Gippsland Lakes Environs.</td>
</tr>
<tr>
<td></td>
<td>All other 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>

<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 where the ground level is to be altered by more than 250mm.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</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>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must 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>Cattle feedlot</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>Dependent person’s unit</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><strong>Grazing animal production</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Home based business</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Poultry farm</strong></td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td><strong>Primary produce sales</strong></td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td><strong>Racing dog training</strong></td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td><strong>Railway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Rural industry (other than Abattoir and Sawmill)</strong></td>
<td>Must not have a gross floor area more than 200 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td><strong>Rural store</strong></td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td><strong>Timber production</strong></td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td></td>
<td>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 100 metres of:</td>
</tr>
<tr>
<td></td>
<td>• Any dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>• Any land zoned for residential, commercial or industrial use.</td>
</tr>
<tr>
<td></td>
<td>• Any site specified on a permit which is in force which permits a dwelling to be constructed.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cattle feedlot – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</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>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Night club, Carnival and Circus)</td>
<td></td>
</tr>
<tr>
<td>Primary school</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><strong>Section 3 – Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td></td>
</tr>
<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>
<td></td>
</tr>
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<tr>
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<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)</td>
<td></td>
</tr>
</tbody>
</table>

**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:
Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

### Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

### Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<td>Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.</td>
<td>Clause 59.13</td>
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<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Animal keeping, Intensive animal production, 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>

**Application requirements for dwellings**

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.
Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Whether the use and development will require traffic management measures.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.
## SCHEDULE TO THE FARMING ZONE

### Subdivision and other requirements

Shown on the planning scheme map as **FZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/dimensions/distance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum subdivision area (hectares).</strong></td>
<td>All land covered by the Macalister Irrigation District on the map attached to this schedule titled Macalister Irrigation District.</td>
</tr>
<tr>
<td>All other land.</td>
<td>40 hectares</td>
</tr>
<tr>
<td><strong>Minimum area for which no permit is required to use land for a dwelling (hectares).</strong></td>
<td>All land covered by the Macalister Irrigation District on the map attached to this schedule titled Macalister Irrigation District.</td>
</tr>
<tr>
<td>All other land</td>
<td>40 hectares</td>
</tr>
<tr>
<td><strong>Maximum area for which no permit is required to use land for timber production (hectares).</strong></td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</strong></td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</strong></td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</strong></td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Minimum setback from a road (metres).</strong></td>
<td>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1</td>
</tr>
<tr>
<td>All other land in a Public Acquisition Overlay to be acquired for a road, Category 2</td>
<td>40 metres</td>
</tr>
<tr>
<td>Any other road</td>
<td>20 metres</td>
</tr>
<tr>
<td><strong>Minimum setback from a boundary (metres).</strong></td>
<td>Any other boundary</td>
</tr>
<tr>
<td><strong>Minimum setback from a dwelling not in the same ownership (metres).</strong></td>
<td>Any dwelling not in the same ownership</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>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land covered by the Macalister Irrigation District on the map attached to this schedule titled Macalister Irrigation District.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
</tbody>
</table>
RURAL ACTIVITY ZONE

Shown on the planning scheme map as RAZ 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 provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.
To ensure that use and development does not adversely affect surrounding land uses.
To provide for the use and development of land for the specific purposes identified in a schedule to this zone.
To protect and enhance natural resources and the biodiversity 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>Agriculture (other than Animal keeping, Animal production, Apiculture, Racing dog training, Rice growing and Timber production)</td>
<td></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 <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.08-2.</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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Condition</strong></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td><strong>Primary produce sales</strong></td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td><strong>Racing dog training</strong></td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td><strong>Railway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Rural industry (other than Abattoir and Sawmill)</strong></td>
<td>Must not have a gross floor area more than 200 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone and Rural Living Zone:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td><strong>Rural store</strong></td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td><strong>Timber production</strong></td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td></td>
<td>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 100 metres of:</td>
</tr>
<tr>
<td></td>
<td>• Any dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>• Any land zoned for residential, commercial or industrial use.</td>
</tr>
<tr>
<td></td>
<td>• Any site specified on a permit which is in force which permits a dwelling to be constructed.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
</tbody>
</table>
| Cattle feedlot - if the Section 1 condition is not met | Must meet the requirements of Clause 53.08.  
The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995. |
<p>| Convenience shop                         |           |
| The site must not have direct access to a rural freeway. |           |
| Dependent person’s unit - if the Section 1 condition is not met | Must meet the requirements of Clause 35.08-2. |
| Dwelling (other than Bed and breakfast)   |           |
| Freeway service centre                   | Must meet the requirements of Clause 53.05. |
| Group accommodation                      |           |
| Hotel                                    |           |
| Host farm                                |           |
| Landscape gardening supplies             |           |
| Leisure and recreation (other than Informal outdoor recreation) |           |
| Market                                   |           |
| Manufacturing sales                      |           |
| Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub) |           |
| Racing dog keeping – if the Section 1 condition to Animal keeping is not met | Must meet the requirements of Clause 53.12. |
| Racing dog training – if the Section 1 condition is not met |           |
| Restaurant                               |           |
| Residential hotel                        |           |
| Rice growing                             |           |
| Sawmill                                  |           |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service station</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Tavern</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>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Rural store)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

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<tr>
<th>Use</th>
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<tbody>
<tr>
<td>Accommodation (other than Backpackers’ lodge, 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>
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<tr>
<td>Brothel</td>
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<tr>
<td>Child care centre</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Retail premises (other than Market, Convenience shop, Equestrian supplies, Hotel, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant, Tavern and Trade Supplies)</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
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### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.
**Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone.

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 and one lot must be at least the area specified for the land in a schedule to this zone.
- 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. At least one lot must be at least the area specified for the land in 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**

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<td>Clause 59.01</td>
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<tr>
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**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 35.08-1. 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

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</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></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.

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 and development and whether the proposal is compatible with adjoining and nearby land uses.

**Agricultural issues**

- Whether the use or development will support and enhance 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.

**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, fauna and landscape features of the locality.
- 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 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 THE RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ**

## Subdivision and other requirements

<table>
<thead>
<tr>
<th></th>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
<td>40 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for timber production (hectares).</td>
<td>None specified</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres).</td>
<td>None specified</td>
<td></td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
<td></td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>All land:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>From a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road Category 1.</td>
<td>100 metres.</td>
</tr>
<tr>
<td></td>
<td>From a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road Category 2.</td>
<td>40 metres.</td>
</tr>
<tr>
<td></td>
<td>Any other road.</td>
<td>20 metres.</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>All land</td>
<td>5 metres</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>All land</td>
<td>100 metres</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>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>None specified</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PUBLIC LAND ZONES
PUBLIC USE ZONE

Shown on the planning scheme map as PUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise public land use for public utility and community services and facilities.
To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
To the application for permit being made and to the proposed use or development.

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**Permit not required**

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

**Table of public land use**

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

**Signs**

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
## SCHEDULE TO THE PUBLIC USE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as PPRZ.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas for public recreation and open space.

To protect and conserve areas of significance where appropriate.

To provide for commercial uses where appropriate.

---

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be conducted by or on behalf of the public land manager. Must not be on coastal Crown land under the <em>Coastal Management Act 1995</em>. Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must not be on coastal Crown land under the <em>Coastal Management Act 1995</em>. Must not be costeaming or bulk sampling.</td>
</tr>
</tbody>
</table>

Any use listed in Clause 62.01

Must meet the requirements of Clause 62.01.

Contractor's depot

Must be either of the following:


Office

Must be associated with the public land use.

Retail premises

Must be associated with the public land use.

Store

Must be associated with the public land use.

Any other use not in Section 3

A use specified in an Incorporated plan in a schedule to this zone.

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Display home</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Transport terminal (other than Heliport)</td>
</tr>
<tr>
<td>Veterinary centre</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

### Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
- Subdivide land.

### Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC CONSERVATION AND RESOURCE ZONE

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>Must not be located on land reserved under the National Parks Act 1975.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must not be located on land reserved under the National Parks Act 1975. Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be located on land described in a schedule to the National Parks Act 1975. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
<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>
<td></td>
</tr>
</tbody>
</table>

36.03-2
16/01/2018
VC142

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, the Crown Land (Reserves) Act 1978, or the Road Management Act 2004.

- Subdivide land.

36.03-3
19/09/2017
VC132

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

**Exemption from notice and review**

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**Incorporated plan**

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
### SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ROAD ZONE

Shown on the planning scheme map as **RDZ1** for a Category 1 road and **RDZ2** for a Category 2 road.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td>Any other use not in Section 1 or 3</td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
**SPECIAL USE ZONE**

Shown on the planning scheme map as SUZ with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone</td>
</tr>
</tbody>
</table>

| Any other use not in Section 1 or 3 of the schedule to this zone |

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

**Use of land**

Any requirement in the schedule to this zone must be met.

**Application requirements**

An application to use land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.
Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ1.

WEST SALE AIRPORT

Purpose
- To provide for the safe and efficient operation of the West Sale Airport.
- To provide for the development of aeronautical industries and activities.
- To provide for educational facilities appropriate to the site.
- To ensure existing and future activities on the site will not adversely impact areas specified as having significant flora and fauna values.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must involve aeronautical activities.</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Transport terminal</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>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Drive-in theatre)</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>Drive-in theatre</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
</tbody>
</table>

Use of land

All use of land must not adversely effect the operation of the West Sale Airport.
The West Sale Airport should be operated in accordance with the West Sale Airport Master Plan Update 2017 (or any superseding documents), and the West Sale Aerodrome Public Management Agreement, June 2003 (or any superseding documents).

### 3.0

**Subdivision**

None Specified.

### 4.0

**Buildings and works**

A permit is not required to construct a building or construct or carry out works:

- associated with the extension of the east-west runway undertaken in accordance with the adopted West Sale Airport Master Plan Update 2017 (or any superseding document).

The following requirements apply to construct a building or carry out works:

- Development of land must be in accordance with the West Sale Airport Master Plan Update 2017 (or any superseding documents) and the West Sale Aerodrome Public Management Agreement, June 2003 (or any superseding documents).

### 5.0

**Advertising signs**

Advertising sign requirements are at Clause 52.05. All land located within West Sale Airport is in Category 1.
SCHEDULE 2 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2

FULHAM PRISON

Purpose

- To encourage the development of a prison to an international best practice standard.
- To ensure that development or use of the prison occurs with minimum negative impact on surrounding land uses.
- To encourage a form of development that will enhance the visual quality of the surrounding area.
- To provide for prison industries, prisoner education, recreation, visitor, and health service facilities and any other facility necessary for the operation of an international best practice prison.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corrective institution</td>
<td>Must be in accordance with the Prison Development Plan, proposed Fulham Prison, Hopkins Road, Fulham, September 1995.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Corrective Institution)</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Any use in Section 1 - if the condition 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>Nil</td>
<td></td>
</tr>
</tbody>
</table>

2.0

Use of land

All land use must be in accordance with the purpose of the zone.

3.0

Buildings and works

All buildings and works must comply with the approved Prison Development Plan. A planning permit is required where any proposed development does not comply with the approved Prison Development Plan.
SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ3

LAKE GUTHRIDGE PRECINCT

Purpose

- To provide for the ongoing use of the land for recreation and hospitality.
- To maintain and encourage a form of development that will be consistent with and where appropriate improve the visual and landscape quality of the Lake Guthridge precinct.
- To minimise adverse impacts on Lake Guthridge and its environs as an important public area providing a range of leisure, recreational and tourist pursuits catering for the needs of both the local and regional community.

Table of uses

Section 1 - Permit not required

<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>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted recreation facility</td>
<td>Must be generally in accordance with the purpose of the zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement Parlour, Carnival, Cinema, Circus, Drive-in theatre and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>Must not be more than 50 square meters in area. Must be associated with leisure or recreation related activities carried out on the land.</td>
</tr>
</tbody>
</table>

Any use in Section 1 if the condition is not met

Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement Parlour</td>
</tr>
<tr>
<td>Carnival</td>
</tr>
<tr>
<td>Cinema</td>
</tr>
<tr>
<td>Circus</td>
</tr>
<tr>
<td>Drive-in theatre</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Restricted recreation facility)</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>
2.0 Use of land

Application requirements

For any new use that requires a planning permit, accurate plans showing the overall development of the site must be prepared to the satisfaction of the responsible authority. The plans must indicate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on nearby land.

3.0 Subdivision

Subdivision is prohibited.

4.0 Buildings and works

Permit requirement

A permit is required to construct a building or carry out works associated with a use identified in Section 2 of the table of uses contained within this schedule.

Application requirements

For any proposed development that that requires a planning permit, accurate plans showing the overall development of the site must be prepared to the satisfaction of the responsible authority. The plans must indicate:

- The location of building and works.
- Elevation drawings showing the colour and materials of all buildings and works.
- A landscape layout which includes the description of vegetation to be planted, the surfaces be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- Driveway and parking areas.
- The drainage discharge plan.
- Other details, as required by the responsible authority.

5.0 Decision guidelines

Before deciding on an application to use land, construct a building or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the zone.
- The nature of the proposed use and its effect to the amenity of the surrounding area.
- The degree to which the area will remain as public accessible space.
- The suitability of building design, siting, building setbacks, type of proposed external building materials and landscaping.
- Whether the development will enhance or detract from the visual and landscape qualities of the Lake Guthridge precinct.
- The requirements of relative regulatory authorities with regard to:
  - Patron numbers;
  - Hours of operation;
  - Licensed areas;
- Gaming machines;
- Availability of and connection to services.
SCHEDULE 4 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

FIREBRACE ROAD TRANSITION ZONE

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To implement the long term transition of this area from Industrial 1 Zone to predominantly residential, while not compromising all industrial operations operating from 63 – 97 Firebrace Road (see map 1) in the short to medium term.

To provide for light industries and other appropriate uses, which do not affect the safety and amenity of adjacent, sensitive land uses.

To allow dwellings and caretakers houses to establish within this zone on land outside the threshold distance of all industrial operations operating from 63 – 97 Firebrace Road (see map 1).

1.0

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>Boat and caravan storage</td>
<td></td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>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 Bed and breakfast and Dependent person's unit)</td>
<td>Must be outside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63 – 97 Firebrace Road (see map 1)</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>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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Dependent person’s unit</strong></td>
<td>Must be outside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63 – 97 Firebrace Road (see map 1).</td>
</tr>
<tr>
<td><strong>Education centre</strong></td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td><strong>Industry (other than Materials recycling and Transfer station)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Office</strong></td>
<td>The leasable floor area must not exceed 200 square metres.</td>
</tr>
<tr>
<td><strong>Place of Assembly (other than Amusement Parlour, Carnival, Circus and Nightclub)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Utility installation (other than Minor utility installation and Telecommunications facility)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Warehouse (other than fuel depot and milk depot)</strong></td>
<td>The leasable floor area must not exceed 200 square metres.</td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Fuel depot</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Materials recycling and Transfer Station</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Milk depot</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Shop (other than Convenience shop)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
</tbody>
</table>
Use

Use in Section 2 when a condition is not met

2.0

Use of land

Amenity of the neighbourhood

A non-residential use must not adversely affect the amenity of the surrounding sensitive land uses, 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.

A residential use must not adversely affect the operations of the surrounding non-residential land uses and must consider:

- The siting and orientation of the activity relative to any non-residential activity.
- The design and materials of the building to assist in mitigating the effect of emissions from non-residential activities.

Application requirements

An application to use land for any use listed in Section 2 must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

3.0

Subdivision

The minimum lot size is 2000 square metres.

Each lot must be connected to reticulated supply of water, electricity, reticulated sewerage and a drainage system.

Each lot must have access to a road constructed to the requirements of the responsible authority.
**Application requirements**

An application for subdivision must demonstrate that the lot size and configuration has had regard to the land use requirements and the purpose of the zone.

An application must include a drainage plan to the satisfaction of the Responsible Authority and relevant Catchment Management Authority.

**Buildings and Works**

A permit is required to construct a building or construct or carry out works.

**Application requirements**

An application to construct a building or construct or carry out works must include, where appropriate:

- A Site Analysis, which must show the boundaries and dimensions of the site, relevant ground levels, the location and cross section of adjoining roads, the location of any existing vegetation, drainage lines, water features, retarding basins and flood ways, sites of biological, heritage or archaeological significance, sites that are potentially contaminated and any other relevant features;

- A plan, drawn to scale, showing:
  - Is responsive to the features identified in the Site Analysis.
  - Has regard to the purpose of the zone and adjoining uses.
  - Contains details of required buffer treatment where mitigation measures are necessary to protect the amenity and surrounding properties and the safety of the public.
  - The location, height and purpose of existing and proposed buildings and works
  - Driveway, access, parking areas and any loading areas, including a Parking and Access management plan.
  - Elevations of all buildings indicating materials, finishes and colours;
  - Details of existing and proposed landscaping, along with a Vegetation Management Plan to explain how the existing and proposed landscaping will be maintained;
  - External storage
  - The drainage discharge plan

- A Sustainability Management Plan which outlines sustainable building and design techniques proposed. The plan must provide for but is not limited to energy use and efficiency, waste management, water conservation and reuse.

- Other details as required by the responsible authority.

**Decision guidelines**

Before deciding on an application to use or subdivide land or to construct a building or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must be satisfied that the plan has regard to the following information:

- Structure plans, policy, strategy or guidelines adopted by the Responsible Authority that relate to the subject land.

- SEPA principles of healthy urban design – refer to the Healthy by Design Guidelines.

- The applicable State Protection Policy or relevant guidelines of the Environment Protection Authority.
• The purpose of the zone.

• The longer term vision for Firebrace Road (as set out in 21.04 - Settlement) and whether the development supports the transition of this area, while protecting both all industrial operations operating from 63 – 97 Firebrace Road (see map 1) and the amenity of sensitive activities in the short to medium term.

• The nature of the proposed use and its proximity to existing industrial activities and the effect these industries may have on the proposed use.

• 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 provision of building setbacks and landscaping.

• The ability of the activity to be appropriately serviced.

• 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 interface and connectivity with adjoining existing and future areas.

• The storage of rubbish and materials for recycling.

Map 1: Location Industrial Operations 63-73, 75-97 Firebrace Road
SCHEDULE 5 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ5

FIREBRACE ROAD GROUP ACCOMMODATION AREA

Purpose
To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To implement the long term transition of this area from Industrial 1 Zone to predominantly residential and tourism, while not compromising all industrial operations operating from 63-97 Firebrace Road (see map 1) in the short to medium term.

To provide land for workers’ accommodation to primarily support nearby industry

To protect nearby industrial activities from any adverse impact due to encroachment of new accommodation use or development, by requiring suitable setbacks, landscape buffers, building location and design.

To provide direct links to the adjacent Rail Trail.

To provide a high level of amenity through a well landscaped setback from the adjoining Industrial 1 Zone.

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>Minor utility installation</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Dependent person's unit)</td>
<td>Must be outside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63-97 Firebrace Road (see map 1).</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td>Must be within 50 metres measured from the eastern boundary of the zone, when inside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63-97 Firebrace Road (see map 1).</td>
</tr>
<tr>
<td>Convenience shop</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 be outside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63-97 Firebrace Road (see map 1).</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Group Accommodation</td>
<td>Must be used in conjunction with Timber Production, Timber Yard, Agriculture, Rural Industry, or Winery, when inside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63-97 Firebrace Road (see map 1). Must be no more than 6 dwellings, when inside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63-97 Firebrace Road (see map 1). Must be within 50 metres measured from the eastern boundary of the zone, when inside the threshold distance (pursuant to Clause 52.10) from all industrial operations operating from 63-97 Firebrace Road (see map 1).</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (including Minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Any use in Section 1 when a condition 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>Agriculture</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Any use in Section 2 when a condition is not met</td>
<td></td>
</tr>
</tbody>
</table>

Use of land

Application requirements

An application to use land for any use listed in Section 2 must be accompanied by the following information, as appropriate:

- The purpose of the use.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
3.0 Traffic, including the hours of delivery and despatch.

Subdivision
Each lot must be connected to reticulated supply of water, electricity, reticulated sewerage and a drainage system.
Each lot must have access to a road constructed to the requirements of the Responsible Authority.

Application requirements
An application for subdivision must demonstrate that the lot size and configuration has regard to the land use requirements and the purpose of the zone.
An application must include a drainage plan to the satisfaction of the Responsible Authority and relevant Catchment Management Authority.

4.0 Buildings and works
A permit is required to construct a building or construct or carry out works.

Application requirements
An application to construct a building or construct or carry out works must include:

- A Site Analysis, which must show the boundaries and dimensions of the site, relevant ground levels, the location and cross section of adjoining roads, the location of any existing vegetation, drainage lines, water features, retarding basins and flood ways, sites of biological, heritage or archaeological significance, sites that are potentially contaminated and any other relevant features.

- A plan, drawn to scale, which:
  - Is responsive to the features identified in the Site Analysis.
  - Has regard to the purpose of the zone and adjoining uses.
  - Contains details of required buffer treatment where measures are necessary to protect the amenity and surrounding properties and the safety of the public.
  - Includes the location, height and purpose of existing and proposed buildings and works.
  - Shows driveway, access, parking areas and any loading areas, including a Parking and Access management plan.
  - Includes elevations of all buildings indicating materials, finishes and colours;
  - Details of the existing and proposed landscaping, along with a Vegetation Management Plan to explain how the existing and proposed landscaping will be maintained.
  - Shows the external storage.
  - Includes the drainage discharge plan.

- A Sustainability Management Plan which outlines the sustainable building and design techniques proposed. The plan must provide for but is not limited to energy use and efficiency, waste management, water conservation and reuse.

- Other details as required by the Responsible Authority.

5.0 Decision guidelines
Before deciding on an application to use or subdivide land or to construct a building or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must be satisfied that the plan has regard to the following information:
- Structure plans, policy, strategy or guidelines adopted by the Responsible Authority that relate to the subject land.
- SEPA principles of healthy urban design – refer to the Healthy by Design Guidelines.
- The applicable State Protection Policy or relevant guidelines of the Environment Protection Authority.
- The purpose of the zone.
- The longer term vision for Firebrace Road (as set out in Clause 21.04 - Settlement) and whether the development supports the transition of this area, while protecting all industrial operations operating from 63–97 Firebrace Road (see map 1) and the amenity of sensitive activities in the short to medium term.
- The nature of the proposed use and its proximity to existing industrial activities and the effect these industries may have on the proposed use.
- The provision of building setbacks and landscaping.
- The ability of the activity to be appropriately serviced.
- The effect of traffic likely to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The interface and connectivity with adjoining existing and future areas.
- The storage of rubbish and materials for recycling.

**Map 1: Location of Industrial Operations at 63-73 & 75-97 Firebrace Road, Heyfield**
SCHEDULE 6 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6.

SALE GREYHOUND RACING FACILITY

Purpose
To provide for the use and development of land for a greyhound race course and related facilities. To facilitate a range of additional entertainment, recreational, commercial and community pursuits in order to enable its usage throughout the year.
To ensure that the combination of uses, their hours of operation and the form of any development do not prejudice the amenity of surrounding areas.
To ensure the land is fully integrated with the surrounding existing and proposed future residential areas.

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>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Race course</td>
<td>Must be in accordance with an approved Development Plan.</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 training</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Motor racing track and Race course)</td>
<td>Must be generally in accordance with the purpose of the zone.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Racing dog keeping</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Must be in association with the Race course.</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Store</td>
<td>Must only be goods, machinery and vehicles which are used in association with the management and maintenance of the race course and its facilities.</td>
</tr>
<tr>
<td>Shop</td>
<td>Must not be more than 50 square metres in area. Must be associated with leisure or recreation related activities carried out on the land.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Must be in association with the Race course.</td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

**Use**

- Accommodation (other than Caretaker’s house and Residential hotel)
- Agriculture (other than Racing dog keeping and Animal training)
- Motor racing track
- Retail premises (other than Food and drink premises, Gambling premises, Market and Shop)
- Warehouse (other than Store)
- Any use in Section 1 or 2 if a condition is not met

**Use of land**

Any use approved for the land must not adversely affect the operation of the Sale Greyhound Racing Course.

The land must be used in general accordance with an approved Development Plan.

Any use of the land must comply with any applicable State Environment Protection Policy and guidelines of the Environment Protection Authority including but not limited to:

- Noise from Industry in Regional Victoria (NIRV)
- State Environment Protection Policy; Control of Music Noise from Public Premises N-2 (SEPP N-2).

**Amenity of the neighbourhood**

A use must not adversely affect the amenity of the surrounding existing and proposed future sensitive land uses, including through:

- Traffic and car parking generated by the use.
- Noise and light spill generated by the use.
- Any events and functions held on the land.
- The transport of materials or goods to or from the land.
- The appearance of any buildings, works or materials.

**Application requirements**

For any new use that requires a planning permit, accurate plans and supporting text must be prepared to the satisfaction of the responsible authority. The plans and text must indicate:

- The purpose of the use and the location and types of activities which will be carried out.
- An amenity impact response assessment to the satisfaction of the responsible authority and the Environment Protection Authority which:
  - Gives evidence that the requirements set out in the State Environment Protection Policy and guidelines from the Environment Protection Authority are met including but not limited to:
    - Noise from Industry in Regional Victoria (NIRV),
State Environment Protection Policy; Control of Music Noise from Public Premises N-2 (SEPP N-2).

- Determines if an increased amenity impact is generated than was accounted for in the approved Development Plan.
- Where relevant, details the required mitigation measures necessary to protect the amenity of existing and potential future sensitive land uses.

- Other details, as deemed necessary by the responsible authority.

3.0
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Buildings and works
A permit is required to construct any buildings or carry out any works.
The location and siting of all buildings and works must be in general accordance with the approved Development Plan.
The location, siting and acoustic treatment of greyhound facilities should be in accordance with the Greyhound Facilities Code of Practice.

Application requirements
Accurate plans/text must be prepared to the satisfaction of the responsible authority and where appropriate must include:

- An analysis, which must show:
  - the relevant ground levels and site dimensions; and
  - the extent to which the proposed buildings and works are in accordance with the approved Development Plan.

- The plans, drawn to scale, must include:
  - The location, height and purpose of existing and proposed buildings and works.
  - Elevational drawings showing the colour and materials of all buildings and works.
  - Driveway, access, carparking and loading areas.
  - External storage and waste treatment areas.

- An amenity impact response assessment to the satisfaction of the responsible authority and the Environment Protection Authority which:
  - Gives evidence that the requirements set out in the State Environment Protection Policy and guidelines from the Environment Protection Authority are met including but not limited to:
    - Noise from Industry in Regional Victoria (NIRV),
    - State Environment Protection Policy; Control of Music Noise from Public Premises N-2 (SEPP N-2).
    - Determines if an increased amenity impact is generated than was accounted for in the approved Development Plan.
    - Where relevant, details the required mitigation measures necessary to protect the amenity of existing and potential future sensitive land uses.

- Other details, as deemed necessary by the responsible authority.
Decision guidelines

Before deciding on an application to use, subdivide the land or to construct a building or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The approved Development Plan.
- Structure plans, policy, strategy or guidelines adopted by the responsible authority that relate to the subject site.
- The relevant State Environment Protection Policy and guidelines of the Environment Protection Authority including but not limited to:
  - Noise from Industry in Regional Victoria (NIRV),
  - State Environment Protection Policy; Control of Music Noise from Public Premises N-2 (SEPP N-2).
- The Greyhound Facilities Code of Practice.
- Supportive Environments for Physical Activity (SEPA) principles of healthy urban design – refer to the Healthy by Design Guidelines.
- The nature of the proposed use and its short and long term effect on the amenity of surrounding current and proposed sensitive uses, including the impact of hours of operation.
- The interface with surrounding existing and proposed future residential areas which should have regard to:
  - frontage and presentation to Maffra Sale Road;
  - landscape buffer treatment; and
  - integration of the site with surrounding existing and proposed future residential areas.
- The suitability of building design, siting, building setbacks, type of proposed external building materials and external illumination of buildings.
- Any increase in traffic generation including car movements, pedestrians, cyclists and vehicles used for deliveries, waste removal, emergency services and public transport.
- The provision of car parking.
- The frequency and duration of any proposed event.
- The storage of rubbish and materials for recycling.
- The requirements of any other regulatory authority with regard to:
  - patron numbers;
  - hours of operation;
  - licensed area;
  - gaming machines; or
  - availability and connection to services.

Notes: Refer to the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of the land. Other requirements may also apply.
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, 56.03-3, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
</tbody>
</table>
Class of subdivision | Objectives and standards to be met
--- | ---
2 lots | Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- Any guidelines in the schedule to this zone.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.
An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ1.

SALE GOLF CLUB REDEVELOPMENT COMPREHENSIVE DEVELOPMENT PLAN


Land


Purpose

To establish an integrated, fully serviced, recreational, tourism and residential use and development focused on a high quality golf course generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.

To provide for golf facilities and associated tourism, accommodation and resort development.

To ensure development is compatible with the landscape character of the area.

To ensure use and development has regard to natural values of the land and nearby land or natural processes.

To ensure that use and development has regard to the cultural heritage values of the land.

To ensure use and development has regard to the amenity of adjacent properties and the surrounding area.

To ensure that the land is developed in an orderly manner.

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 training,</td>
<td></td>
</tr>
<tr>
<td>Apiculture, Aquaculture, Crop raising and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
</tbody>
</table>

Section 1 - Permit not required (continued)

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car park</td>
<td>Must be generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.</td>
</tr>
<tr>
<td>Carnival</td>
<td>Must meet the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Circus</td>
<td>Must meet the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment.</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>Must be the only dwelling on the lot. Must be generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.</td>
</tr>
<tr>
<td>Food and drink premises (other than Hotel and Tavern)</td>
<td>Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be generally located on the site nominated as “Resort” on the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td>Must be generally located on the site nominated as “Resort” on the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.</td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment.</td>
</tr>
<tr>
<td>Outdoor recreation facility (other than Paintball games facility, Pleasure park and Zoo)</td>
<td>Must be generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.</td>
</tr>
</tbody>
</table>

Section 1 - Permit not required (continued)

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema, Circus, Drive-in theatre, Nightclub, Place of worship and Restricted place of assembly)</td>
<td>Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment.</td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
</tbody>
</table>
Section 2 - Permit required

**Use** | **Condition**
---|---
Tramway | 

Accommodation (other than Corrective institution, Dwelling, Group accommodation and Motel) | 

Bed and breakfast | 

Child care centre | 

Display home | 

Hotel | 

Medical centre | 

Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone) | 

Restricted place of assembly | 

Rural industry (other than Abattoir and Sawmill) | 

Service industry (other than Panel beating) | 

Store | 

Tavern | 

Utility installation (other than minor utility installation and Telecommunications facility) | 

Any other use not in Section 1 or 3 | 

Any use in Section 1 if the condition is not met | 

Section 3 - Prohibited

**Use** | 
---|---
Abattoir | 

Amusement parlour | 

Animal keeping | 

Brothel | 

Corrective institution | 

Extractive industry | 

Industry (other than Rural industry and Service industry) | 

Intensive animal husbandry |
Use

Motor racing track
Paintball games facility
Panel beating
Retail premises (other than Convenience shop and Food and drink premises)
Saleyard
Sawmill
Transport terminal
Warehouse (other than Store)

Use of land
Use of land must be generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.

Application requirements
An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- Maintenance of areas not required for immediate use.
- Details of consistency with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.

Exemption from notice and appeal
An application to use 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 in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.

Decision guidelines
Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The contents and intent of the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.
- The protection and enhancement of the natural environment and the 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 protection of cultural heritage values, including the Sale Golf Club Redevelopment Cultural Heritage Assessment prepared by Tardis Enterprises (Feb. 2006).
- The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.
Subdivision

A subdivision must be generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.

Not more than 300 residential lots shall be created.

Subdivision may occur in stages.

No public open space requirement will be required under either Section 18 of the Subdivision Act 1988 or Clause 52.01 of the planning scheme.

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;
- the provision of infrastructure or services required for any use or development of the land; and
- native vegetation management measures to ensure ‘net gain’ under Victoria’s Native Vegetation Management Framework.

A notation must be placed on any planning permit issued for the creation of residential lots on the land, stating:

This land is identified as subject to aircraft noise associated with the operation of RAAF Base East Sale.

Application requirements

An application to subdivide land 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.
  - Subdivision layout, including roads, reserves and any areas of common property.
  - Staging of subdivision.

- An Environmental Management Plan for the proposed subdivision or stage addressing potential impacts on the site and on adjoining areas in terms of:
  - Vegetation and habitat.
  - Groundwater and drainage.
  - Soil disturbance, erosion and sedimentation.
  - Public safety.
  - Turf management.
  - Any sites of archaeological significance.

- A detailed Landscape Plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering, maintaining and monitoring the landscape area. The Landscape Plan must be generally in accordance with the Sale Golf Club Re-Development Landscape Strategy Plan 2006.

- Details of the provision of utility services, including sewerage, water supply and drainage.

- Details of the provision of at least one playground within the overall subdivision.

- Details of consistency with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.
The potential extent of flooding on the land, which must be established by ground level survey to AHD. The floor levels of future buildings must be constructed at least 300 millimetres above the applicable 100-year ARI flood level.

**Exemption from notice and appeal**

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.

**Decision guidelines**

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The contents and intent of the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.
- The protection and enhancement of the natural environment and the 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 protection of cultural heritage values, including the Sale Golf Club Redevelopment Cultural Heritage Assessment prepared by Tardis Enterprises (Feb. 2006).
- The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.

**Buildings and works**

A permit is not required for the construction or extension of one dwelling on a residential lot of at least 300 square metres within the zone provided the dwelling is connected to a reticulated sewerage system and a reticulated potable water supply, and is in accordance with any design guidelines approved by the responsible authority. The development of a dwelling must be in accordance with any housing design guidelines approved by the responsible authority.

The floor levels of future buildings must be constructed at least 300 millimetres above the applicable 100-year ARI flood level.

The collection and discharge of drainage waters shall be to the satisfaction of the responsible authority.

Any works within the bed or banks of Boggy Creek, which is a declared waterway, will require the approval of the West Gippsland Catchment Management Authority under Bylaw No. 1.

Any development for a use, which will produce wastewater or effluent, must be provided with reticulated sewerage to the satisfaction of the responsible authority.

The construction or extension of a dwelling on a lot of less than 300 square metres must meet the requirements of Clause 54. The construction of two or more dwellings on a lot must meet the requirements of Clause 55.

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- Relevant ground levels.
- The layout of existing and proposed uses.
- Proposed landscape areas.
- All external storage and waste treatment areas.
- Areas not required for immediate use.
- All driveways, vehicle parking and loading areas.

- Scaled elevation drawings to identify the colour and materials of all buildings and works.
- An Environmental Management Plan that addresses the impacts of the buildings and works on the site and on adjoining areas in terms of:
  - Vegetation and habitat.
  - Groundwater and drainage.
  - Soil disturbance, erosion and sedimentation.
  - Public safety.
  - Turf management.
  - Any sites of archaeological significance.

- A detailed Landscape Plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering, maintaining and monitoring the landscape area. The Landscape Plan must be generally in accordance with the Sale Golf Club Re-Development Landscape Strategy Plan 2006.

- Details of the provision of utility services, including sewerage, water and drainage.
- Details of consistency with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006 and any design guidelines approved by the responsible authority.

**Exemption from notice and appeal**

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.

**Decision guidelines**

Before deciding on an application to construct a building or construct or carry out work, the responsible authority must consider, as appropriate:

- The contents and intent of the Sale Golf Club Redevelopment Comprehensive Development Plan 2006.
- Any design guidelines approved by the responsible authority.
- Any Environmental Management Plan for the land approved by the responsible authority.
- The protection and enhancement of the natural environment and the 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 (to buildings requiring wastewater disposal), water, drainage, electricity and telecommunications.
- The protection of cultural heritage values, including the Sale Golf Club Redevelopment Cultural Heritage Assessment prepared by Tardis Enterprises (Feb. 2006).
OVERLAYS

This section sets out the overlays which apply in this scheme.
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

Environmental significance and objectives

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
</tbody>
</table>
An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Construct a fence.

Remove, destroy or lop one tree.

Construct a building or construct or carry out works for:

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

---

**Table of exemptions**

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>- Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td></td>
<td>- Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>
| Mineral exploration and extraction         | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:

- that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
- in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.

*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*

<table>
<thead>
<tr>
<th>Noxious weeds</th>
<th>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <em>Catchment and Land Protection Act 1994</em>. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em> is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
| Regrowth                                   | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:

- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Road safety</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
| **Stone exploration**   | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeaming and bulk sampling activities. |
| **Stone extraction**    | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Surveying**           | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners**  | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or  
  - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017). |

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

COASTAL AND GIPPSLAND LAKES ENVIRONS

1.0

Statement of environmental significance

The Ninety Mile Beach and Gippsland Lakes and their environs are some of the most significant environmental, landscape, and recreational areas within the State of Victoria.

The coast and lakes systems comprise easily disturbed ecosystems susceptible to soil erosion, ground and surface water pollution, and habitat disturbance. In particular, areas which have been developed as coastal settlements and towns along the Ninety Mile Beach are beginning to cause significant environmental management problems, including loss of water and soil quality, as well as loss of native vegetation.

There are 11,200 subdivided lots along the Ninety Mile Beach between Paradise Beach and the Honeysuckles, east of Seaspray. These lots occur both on the sand dunes of the Ninety Mile Beach and on the adjacent sandy soils. None of the lots is connected to reticulated water or sewerage systems. Investigations have revealed evidence of groundwater contamination at Loch Sport. Development has been encouraged to occur within the township areas of Paradise Beach, Golden Beach and at the Honeysuckles.

There are significant environmental issues in this area, including water quality, landscape, protection of primary and secondary sand dunes, flooding, protection of vegetation habitat, impacts on neighbouring wetlands and coastal parks. Coastal and estuarine systems are vulnerable to human development.

2.0

Environmental objective to be achieved

- To ensure that the development of land is compatible with the environmentally sensitive coastal area, including the Gippsland Lakes.
- To conserve and enhance the environmental quality of the coastal area.
- To protect and enhance the natural beauty of the coastal landscape.
- To protect and enhance the visual amenity and landscape of the coastal area.
- To minimise the risk of erosion, pollution, and destruction by fire.
- To minimise the impact of human activities on the ecological values of the coastal and lakes environments.

3.0

Permit requirement

A permit is not required for any building with a height of less than 4.5 metres (not including a television or radio antenna, chimney, or flue pipe) in association with:

- Informal outdoor recreation.
- Minor utility installation.
- The following agricultural activities:
  - Fencing and gates.
  - Ploughing and similar activities, except within 20 metres of a lake, wetland, or waterway.
  - Dams.
  - Windmills and solar units.
  - Outbuildings less than 100 square metres gross floor area.
- River or lake shore management works by a public authority.
- Any works or actions by a municipality or public authority which are necessary to control flooding, fight fires, abate fire risk, or preserve public safety.

A permit is not required for buildings or works undertaken by, or on behalf of, the Department of Environment, Land, Water and Planning on coastal Crown Land under relevant legislation.

A permit is not required for buildings and works undertaken by, or on behalf of, Parks Victoria in relation to its obligation under relevant legislation.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider Clause 21.04 – 21.19 with respect to settlement in coastal areas and whether the proposal:

- Incorporates stormwater systems which prevent high nutrient and sediment concentration entering waterways, wetlands and groundwater.
- Avoids the discharge of wastes unless it can be demonstrated that the wastes can be assimilated without detrimental effect to the receiving environment.
- Avoids and/or controls waste discharges to areas of high conservation significance.
- Complements the scale, height, colour, materials, and finishes of buildings with the coastal environment and any identified local settlement character, with the intent of minimising any visual impact, including visual impact as seen from the water.
- Minimises ground surface disturbance.
- Minimises the impact of construction (including construction of roads) within prominent areas such as hillsides, promontories, ridge-lines and headlands.
- Avoids the construction (including construction of roads) and works in fragile or unstable areas, including land subject to inundation and land adjoining coastal or lake foreshore boundaries.
- Protects sensitive coastal and foreshore vegetation, in particular heath-lands and dune vegetation, from clearing, pollution, grazing, and trampling.
- Emphasises the use of indigenous species in revegetation programs.
- Takes into account coastal processes for all construction and development on the coast.
- Takes into account possible sea and water level rises when planning the siting and design of buildings and works.
- Avoids development with any associated wastewater within 100 metres of a waterway, wetland, coastal foreshore boundary or lake foreshore boundary.
- Enables the built form of commercial and community facilities to reflect the individual character of the settlement within which it is to be developed.
- Ensures that the scale, height and materials of buildings complements the coastal environment and local township character.
- Includes provision for the retention of vegetation and fauna habitat, the need to revegetate riparian buffers along waterways, gullies, ridge-lines, property boundaries and recharge areas, as well as site management measures to minimise the occurrence of salinity, erosion, groundwater and surface water problems for applications for agricultural use or development.
SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

WETLANDS

1.0

Statement of environmental significance

Wetlands:

- Are one of the most productive and diverse biological systems on earth.
- Are particularly rich habitats supporting many rare species, including species of birds protected under national and international treaties and agreements.
- Are a valuable resource for recreational activities.
- Have an ability to assimilate and recycle nutrients and pollutants.
- Can act as flood control basins and for water storage.
- Have a role in local and regional water balance, including recharge and discharge of groundwater.

2.0

Environmental objective to be achieved

To protect and enhance the ecological, habitat, aesthetic, scientific, floristic, faunal, cultural, educational, and recreation values of wetlands through the control of development.

To implement obligations under international, national, State, or other agreements to protect and enhance plant and animal species and habitats.

3.0

Permit requirement

A permit is not required for:

- Emergency works or access by a public authority or municipal council.
- Repair or maintenance of a farm structure.
- Fencing for the exclusion of stock, or protection of the wetland.
- Works for the protection or restoration of a wetland.
- Buildings or works undertaken by, or on behalf of, the Department of Environment, Land, Water and Planning on coastal Crown land under relevant legislation.
- Buildings and works undertaken by, or on behalf of, Parks Victoria in relation to its obligation under relevant legislation.

4.0

Decision guidelines

Before deciding on an application the responsible authority must consider:

- The integrity and long-term ecological and hydrological functioning of the wetland and areas surrounding the wetland.
- The contribution of the proposal towards the ecological restoration of the wetland, or the potential for the proposal to reduce the capability for ecological restoration of the wetland.
- The benefit of requiring an agreement with the owner of the land under the Planning and Environment Act 1987, Wildlife Act 1975, Conservation, Forests and Lands Act 1987, or any other Act, to further protect or enhance the wetland and its flora and fauna.
- The benefit of a condition requiring:
  - The retention or planting of a buffer strip of native vegetation within a specified distance of the wetland.
- The fencing of the wetland to exclude stock or vermin.

- The need for, or existence of, an appropriate land management plan and whether the proposed development is in accordance with such a plan.

- For an application to subdivide land, consider the intended development of the land and its likely effects on the wetland and if acceptable, the need to impose conditions on lot sizes, lot boundaries, road network, open space, building envelopes or effluent disposal sites to ensure better protection of the wetland.

- The views of the Department of Environment, Land, Water and Planning.
SCHEDULE 3 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3.

URBAN AND CONSTRUCTION BUFFER

1.0

Statement of environmental significance

The Gippsland coalfields are an important resource of National and State importance due to their use as the primary energy source for the electricity generating industry in Victoria. The brown coal also has the potential for other alternative fuel and product sources.

The protection of that resource from fire and encroachment of capital intensive development which could hinder its utilisation, together with protecting existing and future urban and other sensitive and significant areas from open cut mining and associated activities, are important planning considerations.

2.0

Environmental objective to be achieved

To ensure that development and land management in the Gippsland Coalfields provides mutual protection of urban amenity and coal resource development and the continued social and economic productive use of land.

To provide for development which is compatible within a buffer area and for services ancillary to coal open cut operations.

To reduce impacts associated with coal mining such as earth subsidence, emission of noise, dust, fire hazard and visual intrusion, waste discharge, movement of earth, and dust.

3.0

Permit requirement

A permit is not required to construct the following buildings, or to construct or carry out the following works:

- Works associated with crop raising.
- Buildings or works normally associated with farming or forestry (other than a dwelling).
- Maintenance or rehabilitation of existing works under the control of public authority.
- A building or works which is/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.

4.0

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 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 descriptions of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- A fire management plan for any proposed development within 1000 metres of land over which a mining licence applies.

### Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Protection of an urban area from the adverse impacts of coal development.
- Protection of coal areas from the adverse impacts of encroachment of urban development.
- Protection of coal development from fire.
- Establishment of a character in the buffer area of low density, high amenity land use and development.
- Whether the use:
  - Is compatible with both the adjacent urban and coal related uses of land.
  - Provides an opportunity for improvement in the visual amenity of areas surrounding urban settlements, and protection from the visual effects of coal resource development on the landscape.
  - Is productive within the constraints required from mutual protection, separation and compatibility of adjacent uses.
  - Maintains the integrity of the buffer area and discourages any incremental or future pressure for urban or coal related development in the future.

### Buildings 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, including outdoor advertising structures, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of, and connection to, services.
- Any natural or cultural values on, or near, the land.
- Interface with non-industrial areas.
- Outdoor storage, lighting, and storm water discharge.
- The designs of buildings to provide for solar access.
If an industrial or warehouse development, the effect 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 maintenance of buildings and works.

**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.
- The interface with adjoining zones, especially the relationship with residential areas.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The responsible authority must notify and consider the views of any Mining Licence holder who may be affected.

**Referral of applications**

Applications of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause:

- To subdivide land which creates a lot with an area less than 20 hectares.
- To develop land for:
  - Accommodation if the total number of people to be accommodated exceeds 100, or the proposed development results in an increase of greater than 25% to the floor area of an existing accommodation building.
  - Cemetery
  - Education centre
  - Exhibition centre
  - Function centre
  - Golf course
  - Hospital
  - Industry (other than Rural industry)
  - Major sports and recreation facility
  - Office with a floor area exceeding 2,000 square metres
  - Shop with a floor area exceeding 2,000 square metres
  - Timber plantation

**Exemption from notice and appeal**

An application is exempt from the notice requirements of Section 52(1)(a), (b), and (d), the decision requirements of section 64(1), (2), and (3) and the appeal rights of Section 82(1) of the Planning and Environment Act 1987. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
SCHEDULE 4 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO4.

LAKE GUTHRIDGE AND ENVIRONS

1.0

Statement of environmental significance

Lake Guthridge and its surrounds provide a prominent place within Sale with high environmental, recreation and landscape qualities.

2.0

Environmental objective to be achieved

To maintain and enhance Lake Guthridge and its environs as an important public open space area providing a range of passive and active recreational pursuits catering for the needs of both the local and regional community.

To maintain, and where appropriate, improve the visual and landscape quality of Lake Guthridge and its environs.

To protect and preserve the flora and fauna of Lake Guthridge and its environs, being an integral part of the high environment quality and educational value of this landscape.

To restrict the area from use, development, or works for private purposes given that this area is primarily for the enjoyment of every resident living within the City of Sale, and its surrounding area.

To facilitate safe, easy pedestrian access throughout this area and provide adequate public amenities including seating areas for use by residents and visitors to the Lake and its environs.

3.0

Permit requirement

A permit is not required to construct buildings or to construct or carry out works associated with:

- Apiculture
- Carnival
- Circus
- Informal outdoor recreation
- Mineral exploration
- Mining
- Natural systems
- Open sports ground
- Road
- Search for stone
- Any buildings or works carried out by or on behalf of a public land manager.

4.0

Decision guidelines

Before deciding on application the responsible authority must consider:

- The degree to which the area will remain as public open space.
- The suitability of building design, siting, and type of proposed external building materials.
- The effect of the proposed use on the amenity of the area.
- Whether the use or development will enhance or detract from the visual and landscape qualities of the area.
SCHEDULE 5 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO5.

RAAF BASE SAFEGUARD AREA

1.0

Statement of environmental significance

The East Sale Royal Australian Airforce Base is an important Defence Force installation and its operation needs to be protected from encroachment of sensitive activities.

2.0

Environmental objective to be achieved

To strongly discourage development which may attract a significant number of occupants and/or users.

3.0

Permit requirement

A permit is not required to carry out any works.

A permit is not required to remove, destroy or lop any vegetation.

4.0

Decision guidelines

Before deciding on an application the responsible authority must consider:

- The views of the State Manager, Australian Property Group. Department of Administrative Services, Victoria.
- The views of the Director General Facilities - Air Force.
- The views of the Facilities Officer of the RAAF Base East Sale.
- The location of the proposed development or subdivision.
- The nature of occupation of the proposed development or subdivision.
- The building density of any proposed development
SCHEDULE 6 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO6

CONSOLIDATION AREAS

1.0

Statement of environmental significance

The natural physical features or resources of these areas should be protected by ensuring lot size is sufficient to accommodate development and any associated effluent disposal systems, taking into account the site’s environmental constraints.

2.0

Environmental objective to be achieved

To restrict development until the lot area is sufficient to cater for the development.

3.0

Decision guidelines

Before deciding on application the responsible authority must consider:

- The primary purpose for which the land is zoned.
- The preparation and approval of a Subdivision Restructure Plan, for the land, which demonstrates how the lot size is sufficient to adequately provide for the development.
- The provisions of the approved Subdivision Restructure Plan.
- The availability of engineering infrastructure services to the land.
- The capability of the land to treat and retain wastewater, sewage, sullage and drainage effluent generated within it.
- The layout and capacity of the surrounding road network to accommodate traffic likely to be generated by the proposal.
SCHEDULE 7 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO7

LANDFILL BUFFER

1.0  
Statement of environmental significance

Buffer areas around major municipal landfill sites can be subject to adverse effects from those landfills.

2.0  
Environmental objective to be achieved

To limit any adverse impact on development from a nearby municipal landfill site of high local importance.

3.0  
Permit requirement

A permit is not required for any development other than that associated with accommodation purposes.

4.0  
Decision guidelines

Before deciding on application the responsible authority must consider:

- Whether or not the proposal can be located in a less sensitive position on the land, at a greater distance from the landfill site.
- The impact of the proposal on the continued operation of the landfill, and the impact of the landfill on the proposal.
- The views of the Environmental Protection Authority.
SCHEDULE 8 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO8.

SPECIAL WATER SUPPLY CATCHMENT AREAS

1.0

Statement of environmental significance

Substantial areas of rural land in the Wellington Shire are located in catchments that are used to provide water for urban, domestic, and irrigation water supply. These catchments are in a Special Water Supply Catchment Area as defined in the Catchment & Land Protection Act 1994.

The supply of quality water for a range of uses including human consumption, domestic, rural irrigation, and industrial activities depends on sound management of water supply catchments. As most water supply catchments are large and water take-off tends to occur low down in the catchments, it is particularly important that land use or development close to the take-off sources is strictly controlled.

In managing water supplies, water authorities are concerned to ensure that land and water management practices do not impair the quality of water. In particular, such practices must not lead to an increased occurrence of blue green algal blooms. It is accepted that one of the key factors leading to the development of algal blooms is excess quantities of the plant nutrients phosphorous and nitrogen. Phosphorus, in particular, plays a key role.

2.0

Environmental objectives to be achieved

- To protect water quality and quantity in catchments used for domestic and rural water supply.
- To protect aquifer recharge areas.
- To manage land use or development in water catchments to ensure that they do not have off-site effects which could adversely affect water quantity.
- To minimise residential development and intensive farming activity in water supply catchments and aquifer recharge areas, particularly near water supply take-off points.
- To encourage retention of natural vegetation and the establishment of new vegetation cover.
- To encourage farm practices that minimise nutrient inputs to waterways.
- To encourage the development of whole farm planning.
- To encourage new development proposals which result in reduced nutrient flows.

3.0

Permit requirement

A permit is not required for any building in association with:

- Informal outdoor recreation.
- Minor utility installation.
- The following agricultural activities:
  - Fencing and gates.
  - Ploughing and similar activities, except within 100 metres of a lake, wetland, or waterway.
  - Dams.
  - Windmills and solar units.
  - Outbuildings less than 100 square metres gross floor area.
- River or lake shore management works by a public authority.
Any works or actions by a municipality or public authority which are necessary to control flooding, fight fires, abate fire risk, or preserve public safety.

A permit is not required for buildings or works undertaken by, or on behalf of, the Department of Environment, Land, Water and Planning on coastal Crown Land under relevant legislation.

A permit is not required for buildings and works undertaken by, or on behalf of, Parks Victoria in relation to its obligation under relevant legislation.

### Application requirements

Any application to construct a building within 100 metres of a waterway or wetland for a use which would generate effluent should include evidence that the building site is capable of containing an appropriate water treatment system by providing either a Soil Percolation Test in accordance with Appendix B of the *Code of Practice - Septic Tanks On Site Domestic Wastewater Management*, EPA Publication No. 451, March 1996 (as amended); or an approved land capability assessment including assessment of the effluent disposal system in accordance with the requirement’s of the “Code of Practice - Septic Tanks”.

### Decision guidelines

Before deciding on an application, the responsible authority must consider Clause 21.05 with respect to Environment and:

- The likely impacts of the proposed development on water quality and quantity in the catchment.
- Whether new development proposals will lead to an increase in the amount of nutrients reaching streams, surface water bodies and groundwater.
- Whether subdivision and intensive farming activities in water supply catchments, especially in the lower areas of water supply catchments near take-off points are appropriate.
- Whether subdivision and intensive farming activities in aquifer recharge areas is appropriate.

### Referral of applications

Any application for buildings and works and subdivision within this overlay 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.
VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO with a number.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect areas of significant vegetation.
To ensure that development minimises loss of vegetation.
To preserve existing trees and other vegetation.
To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
To maintain and enhance habitat and habitat corridors for indigenous fauna.
To encourage the regeneration of native vegetation.

Vegetation significance and objectives
A schedule to this overlay must contain:
- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

Permit requirement
A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
</tbody>
</table>

Table of exemptions

The requirement to obtain a permit does not apply to:

**Emergency works**
Vegetation that is to be removed, destroyed or lopped:
- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

**Fire protection**
Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:
- fire fighting;
The requirement to obtain a permit does not apply to:

- planned burning;
- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;
- in accordance with a fire prevention notice issued under either:
  - Section 65 of the Forests Act 1958; or
  - Section 41 of the Country Fire Authority Act 1958.
- keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

| Geothermal energy exploration and extraction | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005. |
| Greenhouse gas sequestration and exploration | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008. |
| Land management and directions notice | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994. |
| Land use conditions | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994. |
| Mineral exploration and extraction | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990: |
| | • that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or |
| | • in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990. |
| Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration. |
| Noxious weeds | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (Cuscuta australis). |
| Pest animal burrows | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. |
| | In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped. |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Planted vegetation</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<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 costeasing and bulk sampling activities. |
| Stone extraction    | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| Surveying           | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| Traditional owners  | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or  
  - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017). |

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
  - Where ground slopes exceed 20 percent.
  - Within 30 metres of a waterway or wetland.
  - On land where the soil or subsoil may become unstable if cleared.
  - On land subject to or which may contribute to soil erosion, slippage or salinisation.
  - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
  - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO1

NATIVE VEGETATION PROTECTION AREAS

1.0 Statement of nature and significance of vegetation to be protected

All native vegetation in this area is significant and is to be protected for all or most of the following reasons:

- The vegetation includes remnant grassland or significant vegetation that is classified as depleted, rare or threatened at a bioregional level.
- The area provides habitat for rare or threatened flora or fauna species or communities as identified in the Environment Protection & Biodiversity Conservation Act 1999 or the Flora and Fauna Guarantee Act 1988.
- The vegetation has significant remnant habitat value and contributes towards a complex network of wildlife corridors.
- The vegetation makes a valuable contribution towards the sustainable management of the land and assists in preventing erosion, salinity and degradation of water quality.
- The high level of vegetation cover makes a valuable contribution to the aesthetic values and character of the area.

Reference
Victoria’s Native Vegetation Management: A Framework For Action, Department of Natural Resources & Environment, 2002 (as amended).
(Draft) West Gippsland Native Vegetation Plan, West Gippsland Catchment Management Authority & Department of Natural Resources & Environment, 2000 (as amended).

2.0 Vegetation protection objective to be achieved

- To ensure that native vegetation of high conservation value is conserved and protected by minimising the extent of vegetation loss caused by inappropriate use and development.
- To preserve existing native trees and other native vegetation where it contributes to high landscape and aesthetic values of the area.
- To ensure that new development is sensitively designed and sited in a manner which respects the environmental characteristics of the area.
- To conserve and enhance wildlife habitat and habitat corridors by minimising the extent of native vegetation loss and encouraging the regeneration and replanting of locally indigenous species through replanting.
- To reduce the risk of soil erosion, salinity, and degradation of water quality by minimising native vegetation loss.

3.0 Permit requirement

A permit is required to remove, destroy or lop any native vegetation. This does not apply:

- Where the vegetation is located within a building envelope specified on an approved Plan of Subdivision or on an approved Outline Development Plan.
- If the vegetation is dead and is less than 5 metres in height.
- To activities conducted on public land by or on behalf of the Department of Sustainability & Environment under the relevant provisions of the Reference Areas Act 1978, the Natural Parks Act 1975, the Fisheries Act 1995, the Wildfire Act 1975, the Land Act 1958, the Crown Land (Reserves) Act 1978 and the Forests Act 1958.

- To an action listed in the table below where it occurs on land described in the table and is subject to the conditions specified.

<table>
<thead>
<tr>
<th>Land affected by the Vegetation Protection Overlay through Amendment:</th>
<th>Action</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>Remove, destroy or lop native vegetation within 10 metres of a dwelling or farm shed.</td>
<td>The building must have lawfully existed prior to the operative date of the relevant amendment (see List of Amendments following Clause 81).</td>
</tr>
<tr>
<td>Remove, destroy or lop the minimum extent of native vegetation necessary to maintain farm structures, utilities and infrastructure</td>
<td>The structures, utilities and infrastructure must have lawfully existed prior to the operative date of the relevant amendment (see List of Amendments following Clause 81).</td>
<td></td>
</tr>
<tr>
<td>C24- Buckley's Island Rd &amp; Woodside</td>
<td>Remove, destroy or lop native vegetation as a result of grazing by domestic stock.</td>
<td>The grazing must have been lawfully established prior to the operative date of the relevant amendment (see List of Amendments following Clause 81). Any conditions which currently apply must still be met.</td>
</tr>
</tbody>
</table>

All applications to remove, destroy or lop any native vegetation must be accompanied by a report which provides the following information:

- The purpose of the proposed removal, destruction or lopping of vegetation.
- Demonstration that the extent of removal, destruction or lopping of vegetation cannot be avoided and has been reduced as much is reasonable and practicable.
- A vegetation management plan that indicates waterways, drainage lines, wetlands; the total extent, species and condition of vegetation on the land; and the extent of the proposed removal, destruction or lopping of vegetation to be removed.
- An assessment of the significance of existing vegetation corridors and their value as a refuge or habitat for resident or migratory wildlife on the land and adjoining land.
- An assessment of soil erosion, salinity prevention, and ground stabilisation measures.
- An assessment of watercourse protection measures.
- An assessment of wildfire protection measures.
- An assessment of eradication of environmental weed infestation measures, to prevent degradation of the site.
- An assessment of the measures required for the protection of the site from domestic pets, vermin and livestock grazing.
- An assessment of the impact of the removal, destruction or lopping of vegetation on the aesthetic values and character of the area.
- A landscape plan that shows the extent of revegetation works proposed to be undertaken on the land or adjoining land.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether there are alternatives to the removal of native vegetation, which better achieves the Overlay objectives.
- The extent to which the native vegetation sought to be removed, destroyed or lopped contributes towards the need to:
- Conserve and enhance areas of vegetation having high conservation value, as determined by *Victoria’s Native Vegetation Management: A Framework For Action* (as amended) and the *(Draft) West Gippsland Native Vegetation Plan* (as amended) in terms of its physical and biological condition, rarity, variety and species.

- Conserve and enhance resident and migratory wildlife habitat and habitat corridors and the need to retain all types of vegetation including understorey vegetation, native grasses and ground litter for habitat value.

- Protect and enhance the visual amenity and landscape quality of the area.

- Minimise the risk of soil erosion, sedimentation, wildfire and degradation of water quality.

- Prevent invasion after the use and/or development from noxious and environmental weeds, vermin, domestic pets and livestock grazing.

- The need to work towards the State Government’s policy of achieving a net gain in the extent and quality of native vegetation throughout Victoria.

- Whether there is a need to undertake revegetation with appropriate indigenous species of local provenance to offset any loss of environmental values resulting from the use and/or development, or to replace key non-indigenous vegetation where this is important to the aesthetic values of a particular site.
SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify significant landscapes.
To conserve and enhance the character of significant landscapes.

Landscape character and objectives

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- A rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
### Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
</table>
| **Emergency works** | Vegetation that is to be removed, destroyed or lopped:  
- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or  
- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Fire protection** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:  
- fire fighting;  
- planned burning;  
- making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;  
- making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);  
- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;  
- in accordance with a fire prevention notice issued under either:  
  - Section 65 of the Forests Act 1958; or  
  - Section 41 of the Country Fire Authority Act 1958.  
- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;  
- minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004. |
| **Geothermal energy exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the Geothermal Energy Resources Act 2005. |
| **Greenhouse gas sequestration and exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008. |
| **Land management or directions notice** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994. |
| **Land use conditions** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994. |
| **Mineral exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:  
- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or  
- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990. |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noxious weeds</td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <em>Catchment and Land Protection Act 1994</em>. 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 <em>Flora and Fauna Guarantee Act 1988</em> is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
| Regrowth                  | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| Road safety               | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with 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 costeaming and bulk sampling activities. |
| Stone extraction          | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| Surveying                 | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| Traditional owners        | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:                                                                                                    |
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1

NINETY MILE BEACH

1.0

Statement of nature and key elements of landscape

Ninety Mile Beach is the longest stretch of uninterrupted beach in the country and the second longest in the world. This unparalleled linear landscape with its combination of sandy beaches, low dunes, peninsulas, and wetlands is set against the wild seas of Bass Strait, is visually of State significance, and potentially of national significance in that context.

Ninety Mile Beach is protected by a series of official designations - National Park, Wildlife Reserve, and Coastal Park - that recognise the remarkable ecological and scenic values of this area. The landscape is characterised by large swathes of indigenous vegetation including coastal heath, mangroves, and dune grasses, and there are vast ocean views along its entirety.

Ninety Mile Beach is listed by the National Trust as regionally significant, as part of the Gippsland Lakes region. Due to its iconic landscape features and extent, Ninety Mile Beach is an international visitor destination, featuring strongly in Victoria's tourism promotion. Lake Reeve is a bird habitat of international importance that is recognised under the Ramsar Convention, and the area includes Rotamah Island, a bird observatory managed by the Royal Australian Ornithologists Union. The area is also important for its Aboriginal cultural heritage significance, the dunal systems still containing many remnants and evidence of indigenous settlements.

2.0

Landscape character objective to be achieved

To strengthen and protect indigenous coastal vegetation and ensure that it is the dominant feature of the landscape at the coastal edge.

To protect locally significant views and vistas, including natural and unbuilt views along Ninety Mile Beach.

To ensure that development in and around existing settlements does not impact on the characteristics of the landscape, including the natural and unbuilt character along Ninety Mile Beach.

To reduce the visual impact of buildings and structures at the coastal edges of large settlements.

To minimise any increase in development visible above the dunes and coastal vegetation outside settlements, when viewed from the beach, foreshore or offshore.

To avoid buildings set high on dunes or development that will be visible on the skyline.

To minimise the visual impact of signage and infrastructure adjacent to Ninety Mile Beach or in areas of high visibility.

To protect landscape character and attributes that are consistent with the Aboriginal cultural heritage values of the area.

To recognise, and protect, the landscape of the Ninety Mile Beach as a place of significant Aboriginal cultural heritage value.

3.0

Permit requirement

A permit is required for all buildings and works, except farm access tracks.

A permit is required to construct a fence other than timber post and wire fencing up to a height of 1.5 metres.

A permit is required to remove, destroy or lop any vegetation.
Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the proposal includes the use of indigenous vegetation in favour of exotic for all landscaping works in this area.
- Whether the contrast between the landscape and the proposed development is minimised for any proposal within 500 metres of important scenic lookouts.
- The cumulative impact of developments visible from all key viewing corridors (e.g. touring routes, highways) and scenic lookouts on the natural landscape character of these views, and the availability of scenic views to the ocean, or lakes.
- Whether the visual intrusion of development is minimised by utilising low scale building forms, tucked into the landscape with colours and materials that reduce contract and distant visibility.
- Whether buildings are sited within existing settlements wherever possible. Where buildings cannot be avoided outside settlements, whether the proposed development is inappropriately located too close to a main road or key touring route.
- Whether the visibility of proposed buildings or structures is minimised from the foreshore on the Bass Strait coast by setting new development back from the coast and natural coastal landforms. Where development within the coastal strip cannot be prevented, whether the proposal:
  - is sited on the inland slope of dunes (avoid buildings protruding above the dune ridgeline);
  - is set among existing vegetation, maximising the retention of coastal vegetation;
  - utilises appropriate indigenous vegetation to further integrate the development with the landscape;
  - is designed to follow the contours or step down the site and avoid visually dominant elevations;
  - minimises overlooking of the foreshore; and
  - avoids access in highly visible or undisturbed areas.

Reference Documents

State Overview Report, *Coastal Spaces Landscape Assessment Study* (Planisphere, 2006)


HERITAGE OVERLAY

Shown on the planning scheme map as HO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

Permit requirement

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy facility attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.

- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
  - If the tree presents an immediate risk of personal injury or damage to property.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
<tr>
<td>- Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.</td>
<td></td>
</tr>
<tr>
<td>- Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.</td>
<td></td>
</tr>
<tr>
<td>- Externally alter a non-contributory building.</td>
<td></td>
</tr>
<tr>
<td>- External painting.</td>
<td></td>
</tr>
<tr>
<td>- Construct a fence.</td>
<td></td>
</tr>
<tr>
<td>- Construct a carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- Construct and install domestic services normal to a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- Construct and install a non-domestic disabled access ramp.</td>
<td></td>
</tr>
<tr>
<td>- Construct a vehicle cross-over.</td>
<td></td>
</tr>
<tr>
<td>- Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.</td>
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</tr>
<tr>
<td>- Construct a rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>- Construct or display a sign.</td>
<td></td>
</tr>
<tr>
<td>- Lop a tree.</td>
<td></td>
</tr>
<tr>
<td>- Construct or install a solar energy facility attached to a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- Construct and install an electric vehicle charging station.</td>
<td></td>
</tr>
<tr>
<td>- Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.</td>
<td></td>
</tr>
</tbody>
</table>

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**Places in the Victorian Heritage Register**

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

**Permit requirement**

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

**Referral of applications**

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148.

This does not apply to a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.

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.

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**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

The requirements of this overlay apply to both the heritage place and its associated land.

<table>
<thead>
<tr>
<th>PS Map</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 43.01-3</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 1995?</th>
<th>Prohibited uses permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALBERTON</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>HO3</td>
<td>Mareen Banks Street, Alberton (Town Lot 5/2)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (township areas) Permit Exemptions</td>
<td>No</td>
</tr>
<tr>
<td>HO8</td>
<td>House Danger Street, Alberton</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
</tr>
<tr>
<td>HO11</td>
<td>Eabon Hawdon Street, Alberton (Part CA 4/17)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
</tr>
<tr>
<td>HO1</td>
<td>House Johnson Street (Manns Beach Road), Alberton (Part CA A/2)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
</tr>
<tr>
<td>HO2</td>
<td>House 60 Johnson Street (Manns Beach Road), Alberton (CA 6-Section3)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
</tr>
<tr>
<td>PS Map</td>
<td>Heritage Place</td>
<td>External Paint Controls Apply?</td>
<td>Internal Alteration Controls Apply?</td>
<td>Tree Controls Apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-3</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 1995?</td>
<td>Prohibited uses permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
</tr>
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</tr>
<tr>
<td>HO7</td>
<td>House Kirkos Street, Alberton (Town Lot 17/3)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
</tr>
<tr>
<td>HO22</td>
<td>House Old Port Road, Alberton (CA 67D)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<td>HO12</td>
<td>Alberton Butter Factory (former) Russell Street, Alberton (Lot 4/17)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO6</td>
<td>House Streleski Street, Alberton (Town lots 1 &amp; 2/3)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO5</td>
<td>Store &amp; residence Turnbull Street, Alberton (Town lot 19/2)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO9</td>
<td>House Turnbull Street, Alberton (Town lot Part CA 1/7)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Included on the Victorian Heritage Register under the Heritage Act 1995?</td>
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<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
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<td>HO10</td>
<td>Victoria Hotel</td>
<td>Yes</td>
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<td>53 Turnbull Street, Alberton (Part CA 3/9)</td>
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<td>HO13</td>
<td>Farm House</td>
<td>Yes</td>
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<td>No</td>
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<td>House</td>
<td>Yes</td>
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<td>HO15</td>
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<td>Yes</td>
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<td>HO248</td>
<td>Alberton Cemetery</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Alberton Cemetery Incorporated Plan</td>
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<td>214 Yarram-Port Albert Road, Port Albert</td>
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**BOISDALE**

<p>| HO286  | St George's Anglican Memorial Church | Yes   | Yes | Yes - White Cedar tree (<em>Melia azedarach</em>), 1950s Camellia tree &amp; Silver Birch (<em>Betula pendula</em>) | Yes - brick fence and gates | No | No | None specified | Not assessed |
|        | 6 Boisdale-Valencia Creek Road, Boisdale |                                |     |                                          |                            |   |    |                         |                          |</p>
<table>
<thead>
<tr>
<th>PS Map</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 43.01-3</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 1995?</th>
<th>Prohibited uses permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
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<tbody>
<tr>
<td>HO287</td>
<td>Boisdale Uniting Church (former) 1 Main Street, Boisdale</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes, WC building</td>
<td>No</td>
<td>No</td>
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<td>Not assessed</td>
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<tr>
<td>HO288</td>
<td>General Store, Bakery (former) &amp; House 30 &amp; 32-34 Main Street, Boisdale</td>
<td>Yes</td>
<td>Yes - oven &amp; doors in bakery</td>
<td>No</td>
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<td>No</td>
<td>No</td>
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<td>Not assessed</td>
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<tr>
<td>HO289</td>
<td>Stables, Blacksmiths &amp; Wheelwrights and blacksmith’s house (former) 35-39 Main Street, Boisdale</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes - fence at no. 35 Main Street</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>HO290</td>
<td>Boisdale Public Hall &amp; Memorials 42-44 Main Street, Boisdale</td>
<td>Yes</td>
<td>Yes - entry, stage &amp; hall only</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>HO291</td>
<td>St Patrick’s Catholic Church 1 Avon Street, Briagolong</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO78</td>
<td>Mechanics’ Institute and Collection 9-11 Avon Street, Briagolong</td>
<td>-</td>
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<td>Yes</td>
<td>Ref No H550</td>
<td>Yes</td>
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<td>No</td>
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<tr>
<td>HO292</td>
<td>ANZAC Park &amp; Fallen Soldiers’ Memorial 23 Avon Street, Briagolong</td>
<td>Yes - including cleaning</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO293</td>
<td>RSL Sub Branch Club Room 55-57 Avon Street, Briagolong</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes - Gillio’s Gate</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>PS Map</td>
<td>Heritage Place</td>
<td>External Paint Controls Apply?</td>
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<td>Tree Controls Apply?</td>
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<tr>
<td>HO294</td>
<td>Annie Whitelaw Memorial Grave Briagolong Cemetery, 570 Boundary Road, Briagolong</td>
<td>Yes - including cleaning</td>
<td>No</td>
<td>No</td>
<td>Yes - stone &amp; cast iron fence to the Annie Whitelaw grave</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO295</td>
<td>Briagolong Uniting Church &amp; Dutch Elm 4 Church Street, Briagolong</td>
<td>Yes</td>
<td>No</td>
<td>Yes - Dutch Elm</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO296</td>
<td>All Saints Anglican Church Complex 14 Church Street, Briagolong</td>
<td>Yes</td>
<td>Yes - 1908 church porch, nave &amp; chancel</td>
<td>Yes - Algerian Oak, Blue Cedar</td>
<td>Yes -1884 church, 1908 vestry, front fence &amp; gates</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO297</td>
<td>Coffee Palace (former) 39 Forbes Street, Briagolong</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO79</td>
<td>Mount View Gorge Road, Briagolong</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
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</tbody>
</table>

**BUNDALAGUAH**

| HO77   | Primary School No. 1107 Maffra-Sale Road, Bundalaguah | Yes | Yes | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |

**BUSHY PARK**
<table>
<thead>
<tr>
<th>PS Map</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 43.01-3</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 1995?</th>
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<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
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<tbody>
<tr>
<td>HO298</td>
<td>Angus McMillan Memorial and Pencil Pines Maffra-Briagolong Road (Road Reserve), Bushy Park</td>
<td>Yes - including cleaning</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>CLYDEBANK</td>
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<td>HO54</td>
<td>Clydebank Bridge Scarred Trees Bengworden Road, Clydebank Comprises the trees and approximately 150 ha of land.</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO299</td>
<td>Christ Church and Lock-up 8-10 Church Street, Cowwarr</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes - Elm</td>
<td>Yes - lock-up</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>HO300</td>
<td>St Brigid's Catholic Church Complex 13-19 Church Street, Cowwarr</td>
<td>Yes</td>
<td>Yes - church porch, nave &amp; chancel</td>
<td>No</td>
<td>Yes - front fence &amp; gates</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>HO67</td>
<td>Homeview Heyfield Road, Cowwarr</td>
<td>Yes</td>
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<td>Cricket Club Hotel 18-20 Main Street, Cowwarr</td>
<td>No</td>
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<td>Cowwarr Public Hall &amp; Memorials 31-33 Main Street, Cowwarr</td>
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<td>HO48</td>
<td>Connelly's Inn (Old Hotel) Dargo High Plains Road, Dargo</td>
<td>Yes</td>
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<td>HO107</td>
<td>Grant Historic Area McMillans Road, Dargo</td>
<td>Yes</td>
<td>No</td>
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<td>HO115</td>
<td>Good Hope Quartz Goldmining Precinct McMillan Track, Grant Historic Area, Wongungarra</td>
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<td>Yes - Ref No H1268</td>
<td>No</td>
<td>None specified</td>
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<td>HO113</td>
<td>Harrisons Cut Gold Diversion Site Upper Dargo Road, Dargo</td>
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<td>Yes - Ref No H1263</td>
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<td>HO114</td>
<td>Jungle Creek Gold Mining Diversion Sluice, Grant Historic Area, Dargo</td>
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<td>Yes - Ref No H1258</td>
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<td>Fulham Park Myrtlebank Road, Fulham</td>
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<td>Yes - Ref No H331</td>
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**Barkly River Bridge**  
Licol-Glencairn Road, Glencairn

- External Paint Controls: No
- Internal Alteration Controls: No
- Tree Controls: No
- Outbuildings or fences not exempt under Clause 43.01-3: No
- Included on the Victorian Heritage Register under the Heritage Act 1995?: No
- Prohibited uses permitted?: No
- Name of Incorporated Plan under Clause 43.01-2: Individual Heritage Places (rural areas) Permit Exemptions
- Aboriginal heritage place?: No

**HEDLEY**

<table>
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<th>PS Map</th>
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**Gelliondale Briquette Plant**  
Coal Pit Road (Lanes Road) and South Gippsland Highway, Hedley

- Tree Controls: No
- Outbuildings or fences not exempt under Clause 43.01-3: Yes - Ref No H1058
- Included on the Victorian Heritage Register under the Heritage Act 1995?: No
- Prohibited uses permitted?: None specified
- Name of Incorporated Plan under Clause 43.01-2: No
- Aboriginal heritage place?: No

**HEYFIELD**

<table>
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<tr>
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**Heyfield Soldiers' Memorial and Pencil Pines**  
George Street, Heyfield

- Tree Controls: No
- Outbuildings or fences not exempt under Clause 43.01-3: No
- Included on the Victorian Heritage Register under the Heritage Act 1995?: No
- Prohibited uses permitted?: None specified
- Name of Incorporated Plan under Clause 43.01-2: Not assessed
- Aboriginal heritage place?: No

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**St Michael’s Catholic Church**  
2-6 George Street, Heyfield

- Tree Controls: Yes
- Outbuildings or fences not exempt under Clause 43.01-3: No
- Included on the Victorian Heritage Register under the Heritage Act 1995?: No
- Prohibited uses permitted?: None specified
- Name of Incorporated Plan under Clause 43.01-2: Not assessed
- Aboriginal heritage place?: No

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<th>PS Map</th>
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</tbody>
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**Railway Hotel**  
24 George Street, Heyfield

- Tree Controls: Yes
- Outbuildings or fences not exempt under Clause 43.01-3: No
- Included on the Victorian Heritage Register under the Heritage Act 1995?: No
- Prohibited uses permitted?: None specified
- Name of Incorporated Plan under Clause 43.01-2: Not assessed
- Aboriginal heritage place?: No

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**Police Station (former)**  
6 MacFarlane Street, Heyfield

- Prohibited uses permitted?: Yes - stables
- Aboriginal heritage place?: No

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<th>PS Map</th>
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<td>HO307</td>
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</table>

**Heyfield Uniting Church and Memorial**  
46 Macfarlane Street, Heyfield

- Prohibited uses permitted?: None specified
- Aboriginal heritage place?: No

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<th>PS Map</th>
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<td>HO308</td>
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**Post Office (former)**  
7 Temple Street, Heyfield

- Prohibited uses permitted?: None specified
- Aboriginal heritage place?: No
### WELLINGTON PLANNING SCHEME

<table>
<thead>
<tr>
<th>PS Map</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 43.01-3</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 1995?</th>
<th>Prohibited uses permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
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</thead>
<tbody>
<tr>
<td>HO309</td>
<td>St James Anglican Soldiers Memorial Church &amp; Memorials 15 Temple Street, Heyfield</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO310</td>
<td>Heyfield Primary School &amp; 1875 Church of England (former) 22-40 Temple Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes - school entrance gateway &amp; arch</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO311</td>
<td>Commercial Hotel 66 Temple Street, Heyfield</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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</tbody>
</table>

**HIAWATHA**

| HO110  | ‘A’ Frame Bridge, Little Albert River crossing Albert River Road, Hiawatha | - | - | - | - | Yes - Ref No H2011 | No | None specified | No |

**MAFFRA**

<p>| HO312  | Beet Sugar Factory Office (former) &amp; Weighbridge Apex Park, McMahon Drive, Maffra | Yes | Yes - c1897 building only | No | Yes - weighbridge | No | No | None specified | Not assessed |
| HO53   | Strathavon Nuntin RMB 6196, Beet Road via Maffra | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO74   | Primary School No. 861 Church Street, Maffra | Yes | No | No | No | No | No | None specified | No |</p>
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<th>Tree Controls Apply?</th>
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<th>Included on the Victorian Heritage Register under the Heritage Act 1995?</th>
<th>Prohibited uses permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
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</thead>
<tbody>
<tr>
<td>HO313</td>
<td><em>St John’s Anglican Church Complex</em>&lt;br&gt;14 Church Street, Maffra</td>
<td>Yes</td>
<td>Yes - church entry, nave, chancel, apse, organ-chamber; Lych Gate</td>
<td>Yes - Turkey Oak</td>
<td>Yes - Lych Gate; 1950s brick columbarium, fence &amp; gates; timber &amp; wire fence to rectory</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO314</td>
<td><em>St Mary’s Catholic Church Complex</em>&lt;br&gt;Duke Street, Maffra</td>
<td>Yes</td>
<td>Yes - 1871 &amp; 1893 Church; 1924 Church</td>
<td>Yes - Canary Island Date Palms</td>
<td>Yes - Callanan grave site &amp; headstone, Bell</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO315</td>
<td><em>Maffra Soldiers’ Memorial</em>&lt;br&gt;Johnson Street (road reserve), Maffra</td>
<td>Yes - including cleaning</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO316</td>
<td><em>Macalister Hotel</em>&lt;br&gt;2 Johnson Street, Maffra</td>
<td>Yes</td>
<td>Yes - to c1863 fabric</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO317</td>
<td><em>Commercial Bank of Australia (former)</em>&lt;br&gt;50 Johnson Street, Maffra</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes - brick fence along Thomson Street</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO71</td>
<td><em>National Bank of Australasia (former)</em>&lt;br&gt;64 Johnson Street, Maffra</td>
<td>-</td>
<td>-</td>
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<td>Yes - Ref No H399</td>
<td>No</td>
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<tr>
<td>HO72</td>
<td><em>Court House</em>&lt;br&gt;Johnson Street, Maffra</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>HO73</td>
<td>Shop 75 Johnson Street, Maffra</td>
<td>Yes</td>
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<td>HO318</td>
<td>Metropolitan Hotel (former) 95 Johnson Street, Maffra</td>
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<td>HO319</td>
<td>Maffra Hotel 122 Johnson Street, Maffra</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO320</td>
<td>Mechanics Institute, Memorial Hall Complex &amp; Memorials 150-158 Johnson Street &amp; 11-15 Foster Street, Maffra</td>
<td>Yes</td>
<td>Yes - RSL room of the 1922 Great War Peace Memorial Hall only</td>
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<td>No</td>
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<td>HO321</td>
<td>Young’s Arcade 160 Johnson Street, Maffra</td>
<td>Yes</td>
<td>No</td>
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<td>HO75</td>
<td>Boisdale 494 Maffra-Briagolong Road, Maffra Includes the homestead, garden, outbuildings and water tower</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO322</td>
<td>St Andrew’s Uniting Church 7 Pearson Street, Maffra</td>
<td>Yes</td>
<td>Yes - nave &amp; tower</td>
<td>Yes - fence</td>
<td>No</td>
<td>No</td>
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<td>HO76</td>
<td>Mewburn Park</td>
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<td>HO80</td>
<td>Mechanics' Institute</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO24</td>
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<td>Yes</td>
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<td>HO26</td>
<td>House</td>
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<td>HO30</td>
<td>Police Station &amp; Immigration Barracks (former)</td>
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<td>Yes - Ref No H498</td>
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<td>None specified</td>
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<td>6 Denison Street and 5 Colville Street (CA 3, 4/4), Palmerston</td>
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<td><em>House</em></td>
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<td>HO23</td>
<td><em>Tarrawonga</em></td>
<td>Yes</td>
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<td>70 Port Albert-Tarraville Road (CA 79A), Palmerston</td>
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<td>HO34</td>
<td>Port Albert Heritage Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes - Norfolk Island Pines</td>
<td>No</td>
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<td>No</td>
<td>Port Albert Heritage Precinct Incorporated Plan</td>
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<td>HO285</td>
<td><em>Port Albert Maritime Museum (former Bank of Victoria)</em></td>
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<td>Yes - Ref No H1210</td>
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<tr>
<td>HO32</td>
<td><em>Footings of former Powder Magazine</em> (off) Bay Street, near East Street, Port Albert</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Port Albert Heritage Precinct Incorporated Plan</td>
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<td></td>
<td><strong>Old Port foreshore reserve</strong> (south of) Old Port Road, Port Albert</td>
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<tr>
<td>HO119</td>
<td>Roberts’ drapers shop (former), residence &amp; tree 63-65 Tarraville Road, Port Albert</td>
<td>No</td>
<td>No</td>
<td>Yes - Cordyline</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO135</td>
<td>Ship Inn Hotel (former) &amp; tree 73 Tarraville Road, Port Albert</td>
<td>No</td>
<td>No</td>
<td>Yes - Cordyline</td>
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<td>No</td>
<td>No</td>
<td>Port Albert Heritage Precinct Incorporated Plan</td>
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<tr>
<td>HO174</td>
<td>Port Albert Mechanics’ Institute 20 Victoria Street, Port Albert</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO116</td>
<td>Turnbull Orr and Co Bond Store and Office (former) 41-43 Wharf Street, Port Albert</td>
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<td>Yes - Ref No H1779</td>
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**ROSEDALE**

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<tbody>
<tr>
<td>HO58</td>
<td>St Mark’s Anglican Church 55-61 Albert Street, Rosedale</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes - Ref No H599</td>
<td>No</td>
<td>None specified</td>
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<tr>
<td>HO323</td>
<td>Rosedale Shire Offices (former) and English Elms 1-3 Cansick Street, Rosedale</td>
<td>Yes</td>
<td>No</td>
<td>Yes - English Elms</td>
<td>No</td>
<td>No</td>
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<td>HO324</td>
<td>McCarthy House 10 Lyons Street, Rosedale</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
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<td>HO111</td>
<td>Railway bridge over Latrobe River &amp; floodplain</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO325</td>
<td>Lyons Street Beautification Trees and Memorial Reserve Lyons Street (median strip), Rosedale</td>
<td>Yes - including cleaning</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Rosedale Hotel 29-31 Lyons Street, Rosedale</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes - Ref No H645</td>
<td>No</td>
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<td>HO57</td>
<td>Primary School (1871 building) Prince Street, Rosedale</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO62</td>
<td>Mechanics' Institute Prince Street, Rosedale</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO64</td>
<td>Masonic Hall Prince Street, Rosedale</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO65</td>
<td>Old Post Office Prince Street, Rosedale</td>
<td>Yes</td>
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<td>HO326</td>
<td>Exchange Hotel (former) 2-10 Prince Street, Rosedale</td>
<td>Yes</td>
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<td>No</td>
<td>No</td>
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<td>HO327</td>
<td>Bank of Australasia (former) 25-27 Prince Street, Rosedale</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
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<td>HO69</td>
<td>Nambro  Princes Highway, Rosedale</td>
<td>Yes</td>
<td>No</td>
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<td>HO328</td>
<td>St Rose of Lima Catholic Church 4-6 Queen Street, Rosedale</td>
<td>Yes</td>
<td>Yes - church nave, chancel &amp; porch</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Not assessed</td>
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<td>HO329</td>
<td>Presbyterian Manse (former) &amp; Cork Oak 44 Queen St, Rosedale</td>
<td>Yes</td>
<td>No</td>
<td>Yes - Cork Oak</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO330</td>
<td>St Andrews Uniting Church 48-52 Queen St, Rosedale</td>
<td>Yes</td>
<td>Yes - porch, nave &amp; chancel</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO63</td>
<td>Ridge Station 29 Rosedale-Heyfield Road, Rosedale</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO70</td>
<td>Holey Plain Rosedale-Longford Road, Rosedale</td>
<td>Yes</td>
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<td>HO82</td>
<td>Rosedale Railway Station complex Willung Road, Rosedale</td>
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<td>-</td>
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<td>Yes - Ref No H1589</td>
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**SALE**
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<tr>
<td>HO86</td>
<td>Sale Town Centre Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO121</td>
<td>Sale Victoria Park Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes – street trees &amp; Victoria Park only</td>
<td>No</td>
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<td>HO122</td>
<td>Sale St Mary's Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes – street trees only</td>
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<td>HO123</td>
<td>Sale Lake Guthridge Landscape Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes – streets &amp; public reserves only</td>
<td>No</td>
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<td>HO124</td>
<td>Sale Esso Executive Housing Precinct</td>
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<td>Sale Railway Precinct</td>
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<td>Sale State Bank Houses Precinct</td>
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<td>Sale Stawell &amp; Market Streets Precinct</td>
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<td>Sale Netherlands Rural Area Precinct</td>
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<td>HO97</td>
<td>Sale Cemetery Back Maffra Road &amp; Cemetery Road, Sale</td>
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<td>HO199</td>
<td>Myrtlebank School (former) Lot 1 LP 84352, Back Maffra Road, Sale</td>
<td>No</td>
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<td>HO242</td>
<td><em>House &amp; front fence</em> 7 Barkly Street, Sale</td>
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<td>HO120</td>
<td><em>House &amp; front fence</em> 15 Barkly Street</td>
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<td>No</td>
<td>Yes – front fence</td>
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<td>HO186</td>
<td><em>House</em> 18 Codrington Street, Sale</td>
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<td><em>Bishopscourt</em> 4 Cranswick Crescent, Sale</td>
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<td><em>House</em> 5 Cunningham Street, Sale</td>
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<td>HO160</td>
<td><em>House (Medical Clinic)</em> 36 Cunningham Street, Sale</td>
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<td>Pipe crossing Cunningham Street, Sale</td>
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<td>Remnant trees Cunningham Street, Sale</td>
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<td>HO100</td>
<td><strong>St Paul’s Anglican Cathedral</strong> 149 Cunningham Street, Sale</td>
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<td><strong>House &amp; front fence</strong> 167-69 Cunningham Street, Sale</td>
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<td><strong>House &amp; tree</strong> 175-77 Cunningham Street, Sale</td>
<td>No</td>
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<td>Yes – Caucasian Fir tree</td>
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<td><strong>Municipal Pound (former)</strong> 14 Dargo Street, Sale.</td>
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<td>Drying Barn 50-54 Dargo Street (CA 14), Sale</td>
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<td>Bon Accord 153-155 Dawson Street, Sale</td>
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<td>Peppercorn trees Desailly Street, Sale</td>
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<td>HO141</td>
<td>Elm Trees Corner of Desailly &amp; McMillan Streets, Sale</td>
<td>No</td>
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<td>HO249</td>
<td>House &amp; front fence 29 Desailly Street, Sale</td>
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<td>Presbyterian Manse 30-40 Desailly Street, Sale</td>
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<td>HO181</td>
<td>House &amp; front fence 185 Desailly Street, Sale</td>
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<td><em>House &amp; front fence</em> 190 Desailly Street, Sale</td>
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<td><em>The Minters</em> 207 Desailly Street, Sale</td>
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<td><em>St Helen’s Private Hospital (former)</em> 37-39 Elgin Street, Sale</td>
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<td><em>Stables</em> 67-69 Elgin Street (rear of), Sale</td>
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<td><em>House &amp; front fence</em> 80 Elgin Street, Sale</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – front fence</td>
<td>No</td>
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<td>HO176</td>
<td><em>Gay Nor</em> 11 Fitzroy Street, Sale</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – front fence &amp; garage</td>
<td>No</td>
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<td>House 47 Fitzroy Street, Sale</td>
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<td>No</td>
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<td>House &amp; front fence 146-148 Fitzroy Street, Sale</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – front fence</td>
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<td>House 3 Foster Street, Sale</td>
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<td>St Mary’s Catholic Cathedral, former Convent, organ, and Primary School 47-57 Foster Street, Sale</td>
<td>Yes</td>
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<td>HO251</td>
<td>House (Diocesan Centre Office) 63-65 Foster Street, Sale</td>
<td>Yes</td>
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<td>Former ESSO BHPP Offices (Wellington Shire Council Offices) 66-70 Foster Street, Sale</td>
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<td>Sale Court House 79-87 Foster Street, Sale</td>
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<td>Borough of Sale Municipal Offices (former) 128-30 Foster Street, Sale</td>
<td>Yes</td>
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<td>Yes - Schinus molle</td>
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<td>House 169 Foster Street, Sale</td>
<td>Yes</td>
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<td>HO220</td>
<td>House 215 Foster St (corner of Foster &amp; Palmerston Streets), Sale</td>
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<td>Grassdale 8 Grassdale Road, Sale</td>
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<td>HO218</td>
<td>House 52 Guthridge Parade, Sale</td>
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<td>Yes - Peppercorns</td>
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<td>Moneenroe 124-128 Guthridge Parade, Sale</td>
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<td>Fitzpatrick House 143-138 Guthridge Parade, Sale</td>
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<td>Plane Tree, Sale Hospital 143-71 Guthridge Parade, Sale</td>
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<td>The Cottage 146-50 Guthridge Parade, Sale</td>
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| HO225  | *Blairegowrie House*
26 Inglis Street, Sale | No                            | No                                    | No                  | No                                                  | No                                              | No                          | Individual Heritage Places (township areas) Permit Exemptions | No                          |
| HO235  | *House*
86-88 Lansdowne Street, Sale | No                            | No                                    | No                  | No                                                  | No                                              | No                          | Individual Heritage Places (township areas) Permit Exemptions | No                          |
| HO236  | *House*
91 Lansdowne Street, Sale | No                            | No                                    | No                  | No                                                  | No                                              | No                          | Individual Heritage Places (township areas) Permit Exemptions | No                          |
| HO195  | *Former Woollen Mills (Nylex Factory)*
31-47 McGhee Street, Sale | No                            | No                                    | No                  | No                                                  | No                                              | None specified              | No                                | No                          |
| HO155  | *St Patrick's College Footbridge*
Macalister Street, Sale | No                            | No                                    | No                  | No                                                  | No                                              | No                          | Individual Heritage Places (rural areas) Permit Exemptions | No                          |
| HO156  | *House*
2 Macalister Street, Sale | No                            | No                                    | Yes                 | No                                                  | No                                              | No                          | Individual Heritage Places (township areas) Permit Exemptions | No                          |
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<td>Victoria Hall 47-49 Macalister Street, Sale</td>
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<td>City of Sale Municipal Offices, Hall &amp; Gallery (former) 82-84 Macalister Street, Sale</td>
<td>Yes</td>
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<td>Yes</td>
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<td>HO85</td>
<td>Criterion Hotel 90-94 Macalister Street, Sale</td>
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<td>Victoria Park 101-103 Macalister Street, Sale</td>
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<td>HO255</td>
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<td>Primary School No. 545 123-35 Macalister Street, Sale</td>
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<td>House &amp; front fence 143 Macalister Street, Sale</td>
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<td>HO257</td>
<td>House &amp; tree 152 Macalister Street, Sale</td>
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<td>Yes - Magnolia grandiflora</td>
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<td>HO259</td>
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<td>HO260</td>
<td>House &amp; tree 156 Macalister Street, Sale</td>
<td>Yes</td>
<td>No</td>
<td>Yes - Oak in front yard</td>
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### WELLINGTON PLANNING SCHEME

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<td>HO261</td>
<td>Oak tree</td>
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<td>House &amp; tree</td>
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<td>Yes - mature Elms</td>
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## WELLINGTON PLANNING SCHEME

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</table>
| HO137  | *Redgate Reserve*  
CA 7A, Park Street, Sale | No                             | No                                 | No                   | No                                                 | No                                                             | No                          | Individual Heritage Places (rural areas) Permit Exemptions | No                          |
| HO226  | *House*  
88 Patten Street, Sale | No                             | No                                 | No                   | No                                                 | No                                                             | No                          | Individual Heritage Places (township areas) Permit Exemptions | No                          |
| HO269  | *Diocese of Sale Bishop’s Office & front fence*  
8-10 Pearson Street, Sale | Yes                            | No                                 | Yes - front fence    | No                                                 | No                                                             | No                          | Sale residential heritage precincts permit exemptions | No                          |
| HO103  | *St Patrick’s College*  
29-41 Pearson Street, Sale | Yes                            | No                                 | No                   | No                                                 | No                                                             | No                          | Sale residential heritage precincts permit exemptions | No                          |
| HO179  | *House*  
155 Pearson Street, Sale | No                             | No                                 | No                   | No                                                 | No                                                             | No                          | Individual Heritage Places (township areas) Permit Exemptions | No                          |
| HO180  | *House & Trees*  
166 Pearson Street, Sale | No                             | No                                 | No - Pomegranate, Pear & Oak trees | No                                                 | No                                                             | No                          | Individual Heritage Places (township areas) Permit Exemptions | No                          |
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<td>St Anne's and Gippsland Grammar School</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Sale High School (former)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Beaurepaire Tyre Service Pty Ltd (former)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>80-88 Raymond Street, Sale</td>
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<td>Bank of Australasia (former) 104-08 Raymond Street, Sale</td>
<td>Yes</td>
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<td>No</td>
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<td>HO272</td>
<td>AMP Society offices (1930 – former) 118-24 Raymond Street, Sale</td>
<td>Yes</td>
<td>No</td>
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<td>HO273</td>
<td>Commercial Bank (former) 123-25 Raymond Street, Sale</td>
<td>Yes</td>
<td>No</td>
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<td>HO274</td>
<td>St Columba’s church complex &amp; Login Reserve 131-71 Raymond Street, Sale</td>
<td>Yes</td>
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<td>Yes</td>
<td>No</td>
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<td>Shop 142 Raymond Street, Sale</td>
<td>Yes</td>
<td>No</td>
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<td>HO276</td>
<td>AMP Society building (1919 – former) 164-66 Raymond Street, Sale</td>
<td>Yes</td>
<td>No</td>
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<td>HO277</td>
<td>Star Hotel 173-85 Raymond Street, Sale</td>
<td>Yes</td>
<td>No</td>
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<td>HO278</td>
<td>Cobb &amp; Co Stables 199 Raymond Street, Sale</td>
<td>Yes</td>
<td>No</td>
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<td>HO278</td>
<td>Miss Paton’s Arcade (former) 229-239 Raymond Street, Sale</td>
<td>Yes</td>
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<td>HO169</td>
<td>Hawthorne Dairy &amp; House 462-64 Raymond Street, Sale</td>
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<td>House 478 Raymond Street, Sale</td>
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<td>House 479-81 Raymond Street, Sale</td>
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<td>HO283</td>
<td>House (Lochee) 483 Raymond Street, Sale</td>
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<td>Yes - garage</td>
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<td>House 493 Raymond Street, Sale</td>
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<td>House 499-501 Raymond Street, Sale</td>
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<td>Latrobe Hotel (former) 511 Raymond Street, Sale</td>
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<td>House, outbuildings &amp; well 525-27 Raymond Street, Sale</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes - stables &amp; dairy</td>
<td>No</td>
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<td>HO145</td>
<td>HM Prison Sale (former)</td>
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<td>Included on the Victorian Heritage Register under the Heritage Act 1995?</td>
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<td>13-15 Reeve Street, Sale</td>
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<td>HO159</td>
<td>House 39 Reeve Street, Sale</td>
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<td>House 138 Reeve Street, Sale</td>
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<td>HO61</td>
<td>Latrobe River Swing Bridge South Gippsland Highway, Sale</td>
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<td>Yes - Ref No H1438</td>
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<td>Thomson River Jetty South Gippsland Highway, Sale</td>
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<td>Robinson Park Trees CA 18C, 23F, &amp; 23G, South Gippsland Highway, Sale</td>
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<td>No</td>
<td>No</td>
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<td>Sale Canal CA 3 &amp; 18A, South Gippsland Highway &amp; Canal Road, Sale</td>
<td>No</td>
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<td>HO163</td>
<td>House 38 Stawell Street, Sale</td>
<td>No</td>
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<td>House, garden &amp; front fence</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes - front fence</td>
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<td>HO95</td>
<td>Powder Magazine (former)</td>
<td>Yes</td>
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<td>37-45 Stephenson Street, Sale</td>
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<td>HO132</td>
<td><em>Latrobe Wharf, Swan Hotel, &amp; Victoria Hotel Site</em> Swing Bridge Drive, Sale</td>
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<td>Sale Residential Heritage Precincts Permit Exemptions</td>
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<td><em>Teray</em> 122 Thomson Street, Sale</td>
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<td><em>Sale Waterworks Pumping Station and Treatment Plant</em> Part CA 42D, Waterworks Road, Sale</td>
<td>No</td>
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<td>HO215</td>
<td><em>Post Box</em> Corner York &amp; Macalister Streets, Sale</td>
<td>No</td>
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<td>Mechanics’ Institute Group</td>
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<td>125-141 York Street, Sale</td>
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<td>HO201</td>
<td>Milk Dairy</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>178 York Street, Sale</td>
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<td>HO202</td>
<td>Shop</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO203</td>
<td>Fire Station (former)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Individual Heritage Places (township areas) Permit Exemptions</td>
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<td>203-07 York Street, Sale</td>
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<td>Internal Alteration Controls Apply?</td>
<td>Tree Controls Apply?</td>
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<td>Included on the Victorian Heritage Register under the Heritage Act 1995?</td>
<td>Prohibited uses permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
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<td>HO204</td>
<td><em>Baptist Church</em> 209-13 York Street, Sale</td>
<td>No</td>
<td>No</td>
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<td>HO205</td>
<td>Gentofte 222-30 York Street, Sale</td>
<td>No</td>
<td>No</td>
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<td>HO206</td>
<td><em>Laurie</em> 304-06 York Street, Sale</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO94</td>
<td><em>Our Lady of Sion Convent</em> 341-49 York Street, Sale</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td><strong>SALE/WURRUK</strong></td>
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<td>HO149</td>
<td><em>Wurruk Primary School No. 2518</em> 15-19 Fisk Street, Wurruk</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
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<tr>
<td>HO150</td>
<td><em>Tom’s Cottage</em> 10-12 Otway Street, Wurruk</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Individual Heritage Places</td>
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<td>HO148</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
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<td></td>
<td>2 (Part CA 3) Riverview Road (Princes Highway), Wurruk</td>
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<tr>
<td>HO68</td>
<td>Kilmany Park</td>
<td>Yes</td>
<td>Yes, Mansion and Meat house only</td>
<td>Yes, mature exotic trees</td>
<td>Yes, Meat house, 3 underground water tanks, Men's quarters, stables, school, Sloyd Room, Recreation Centre, McClelland Memorial Gate posts and plaque.</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td></td>
<td>1613 Settlement Road, 148A, 148B, 148C, 148D and 148EReid Drive, Wurruk</td>
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<td>HO151</td>
<td>Oak Tree</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Settlement Road &amp; Reid Drive, Wurruk</td>
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<tr>
<td>STRATFORD &amp; PERRY BRIDGE</td>
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<tr>
<td>HO50</td>
<td>Stratford Post Office, Court House (former) &amp; Council Chambers (former)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes - the fence section under the porch on the south elevation</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
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<td></td>
<td>64-66 Tyers Street (Princes Highway), Stratford</td>
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<td>HO52</td>
<td>Wesleyan Methodist Church (former) 14 Hobson Street, Stratford</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
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<tr>
<td>HO331</td>
<td>Mechanics Institute and Boer Memorial Plaque 17 Hobson St, Stratford</td>
<td>Yes</td>
<td>Yes - original fabric of entry hall, hall &amp; stage &amp; Boer memorial plaque</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO332</td>
<td>Holy Trinity Anglican Church, Hall, Rectory &amp; Memorials Lot 8 (LP215327) &amp; 28 McFarlane Street, Stratford</td>
<td>Yes</td>
<td>Yes, church</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO333</td>
<td>St Patricks Catholic Church 2 Merrick Street, Stratford</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>Not assessed</td>
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<tr>
<td>HO55</td>
<td>Knob Reserve Old Redbank Road, Stratford</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
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<tr>
<td>HO334</td>
<td>Stratford Railway Station and Crane Railway Reserve Road &amp; McFarlane Street, Stratford</td>
<td>Yes</td>
<td>No</td>
<td>Yes - crane</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO56</td>
<td>Ramahyuck Cemetery Reserve Ramahyuck Road, Perry Bridge, via Stratford</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Yes</td>
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<td>Tree Controls Apply?</td>
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<td>HO46</td>
<td>Strathfieldsaye</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes - Ref No H262</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>Strathfieldsaye Road, Perry Bridge, via Stratford</td>
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<tr>
<td>HO335</td>
<td>Stratford Soldiers’ Park and Soldiers’ Memorial</td>
<td>Yes - including cleaning</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>HO336</td>
<td>Bakery (former), Shop and Residence</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO337</td>
<td>Carter’s Corner and Residence</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes - large timber hipped roof building attached to the SW corner of the house</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>23 Tyers Street, Stratford</td>
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<td>HO338</td>
<td>State Savings Bank (former)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes - front fence</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<td>58 Tyers Road, Stratford</td>
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<td>TARRAVILLE</td>
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<td>HO37</td>
<td>House</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO41</td>
<td>Farm House</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Loughnan Street, Tarraville (Lot E of Block 13)</td>
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<td>HO18</td>
<td>Woodcot Park</td>
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<td>Yes - Ref No H649</td>
<td>No</td>
<td>None specified</td>
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<td>Tannery Road (Manns Beach Road), Myrtle Point (CA 29)</td>
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<td>Farm house</td>
<td>Yes</td>
<td>No</td>
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<td>House</td>
<td>Yes</td>
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<td>HO36</td>
<td>Christ Anglican Church</td>
<td>-</td>
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<td>Yes - Ref No H999</td>
<td>No</td>
<td>None specified</td>
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<td>Tyers Street, Tarraville (CA 3-6/1)</td>
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<td>HO39</td>
<td>Ruinous house</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Manns Beach Road and Old Sale Road, Tarraville (Section 23)</td>
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<td>HO42</td>
<td>Green Hills</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Ray's Road, Tarraville (Lot 18a)</td>
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<td>HO40</td>
<td>House (former Commercial Hotel)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
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<td>20 Reeve Street, Tarraville (Section 1)</td>
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<td>HO44</td>
<td><em>Farm complex</em> Shaws Road, Tarraville (CA 7)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Individual Heritage Places (rural areas) Permit Exemptions</td>
<td>No</td>
</tr>
<tr>
<td>HO38</td>
<td><em>State School</em> Stewart Street, Robertsons Beach Road, and McCrae Street, Tarraville (CA 9-10/6)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
</tr>
</tbody>
</table>

**TINAMBA**

| HO339  | *St Matthews Anglican Memorial Church, Memorials & Trees* 11 Tinamba-Seaton Road, Tinamba | Yes                           | Yes                                  | Yes - those planted in 1985 | No                                                  | No                                                             | No                        | None specified                                  | Not assessed              |

**YARRAM**

| HO340  | *St Mary’s Catholic Church and Presbytery* 5 Buckley Street, Yarram | Yes                           | Yes - church                         | No                  | No                                                  | No                                                             | No                        | None specified                                  | Not assessed              |
| HO341  | *Mechanics Institute* 2-4 Church Road, Yarram | Yes                           | Yes - hall only                      | No                  | No                                                  | No                                                             | No                        | None specified                                  | Not assessed              |
| HO342  | *Yarram Soldiers’ Memorials* Commercial Road (road reserve), Yarram | Yes - including cleaning      | No                                  | Yes - fence       | No                                                  | No                                                             | No                        | None specified                                  | Not assessed              |
| HO33   | *Court House* 87 Commercial Road, Yarram | -                             | -                                   | -                  | -                                                   | Yes - Ref No H1491                                             | No                        | None specified                                  | No                       |
### Wellington Planning Scheme

<table>
<thead>
<tr>
<th>PS Map</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 43.01-3</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 1995?</th>
<th>Prohibited uses permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO343</td>
<td>Holy Trinity Anglican Memorial Church &amp; Memorials 95-99 Commercial Road, Yarram</td>
<td>Yes</td>
<td>Yes - church nave, chancel, narthex, south porch</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO344</td>
<td>St Andrews Uniting Church and Hall 109-113 Commercial Road</td>
<td>Yes</td>
<td>Yes, church tower &amp; bell, nave &amp; chancel</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO345</td>
<td>Ventnor house and former surgery, and Palms 135 Commercial Road, Yarram</td>
<td>Yes</td>
<td>No</td>
<td>Yes - 5 Canary Island Date Palms</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
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<tr>
<td>HO346</td>
<td>Regent Theatre 208-212 Commercial Road, Yarram</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO347</td>
<td>Yarram Post Office 216 Commercial Road, Yarram</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO348</td>
<td>Stockwell’s Building 275-281 Commercial Road, Yarram</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO349</td>
<td>Yarram Club Hotel 287 Commercial Road, Yarram</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO350</td>
<td>Union Bank of Australia (former) 290-292 Commercial Road, Yarram</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
</tr>
<tr>
<td>HO27</td>
<td>Yarram Butter Factory Commercial Road (South Gippsland Highway), Yarram</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
</tr>
<tr>
<td>PS Map</td>
<td>Heritage Place</td>
<td>External Paint Controls Apply?</td>
<td>Internal Alteration Controls Apply?</td>
<td>Tree Controls Apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-3</td>
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<td>Prohibited uses permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
</tr>
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</tr>
<tr>
<td>HO43</td>
<td>Hawthorn Bank Pound Road, Yarram</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes - Ref No H256</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO351</td>
<td>Federal Coffee Palace (former) 303-305 Commercial Road, Yarram</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None specified</td>
<td>Not assessed</td>
<td></td>
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<tr>
<td></td>
<td><strong>OTHER</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO112</td>
<td>Morning Star Gold Battery Site Morning Star Creek (Donnelly Creek Goldfields)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes - Ref No H1265</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO117</td>
<td>Goodwood Sawmill Mullungdung State Forest</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes - Ref No H2011</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO118</td>
<td>Vallejo Gantner Hut Mount Howitt Track, Howitt Plains</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes - Ref No H46</td>
<td>No</td>
<td>None specified</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which are affected by specific requirements relating to the design and built form of new development.

Design objectives

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

Buildings and works

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.

- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- An outdoor swimming pool.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
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.

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.

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.
Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.

- The subdivision does not create a vacant lot.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1

INDUSTRIAL AREAS

1.0 Design objectives

To provide well planned industrial estates which are suitable for a wide range of industry users. To encourage quality development within the industrial zones which results in a neat appearance whilst also providing for the practical and efficient use of the land and is compatible with its surrounds.

2.0 Buildings and works

A site analysis should be submitted with each application which graphically explains how the proposed development will relate to its immediate surrounds.

Applications for buildings or works should comply with the following performance criteria and techniques:

Infrastructure
- All lots should be connected to reticulated water, sewerage and drainage.
- Developments should be connected to reticulated sewerage and storm water systems.

Site layout and landscaping of industrial areas

The location of lots and roads, and site size and layout should have regard to the needs of a variety of industry types and to any nearby sensitive uses.

The landscaping of nature strips and lot frontages with trees should be encouraged.

Building envelope

Landscaping
- Land within 5 metres of a road, a residential zone, or another sensitive use should be predominantly landscaped.
- Landscaping at the front of lots should involve the planting of trees, whilst landscaping near residential or sensitive uses should achieve a screening effect.

Setbacks
- Front walls of building should be setback from street frontages as follows:

<table>
<thead>
<tr>
<th>Adjacent development context</th>
<th>Setback provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>No development, or development setback less than 8 metres.</td>
<td>6 metres</td>
</tr>
<tr>
<td>Development setback 8 metres or more.</td>
<td>8 metres</td>
</tr>
</tbody>
</table>

- Where adjacent development has different setbacks, development should be setback the average of the minimum setbacks set out in the table.
- Buildings should be setback at least 6 metres from a side street.
- The building height should not exceed its front setback distance.
- Buildings should be at least 25 metres from a water course and 10 metres from a residential zone.

Site coverage
- Buildings should not occupy more than 50% of site area, so as to provide for landscaping, parking, storage, and vehicle manoeuvring.

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
- Driveway crossovers should be fully constructed with a weather proof pavement.
- Car parks should be located towards the front of the site, so as to encourage their use.
- All driveway and car park areas within the building’s front setback area and adjacent to a Category 1 or 2 road should be paved with a weatherproof pavement.
- Parking areas should be surfaced and graded to reduce run-off and allow stormwater to drain into the site.

Variations to the above criteria and techniques should demonstrate that an equivalent or better design outcome can be achieved for both the site and it’s surrounds.

Decision guidelines
Before deciding on an application, the responsible authority may consider:
- The effect that the building and works may have on nearby land and uses.
- The design of buildings, including solar access.
- The need to provide for industrial related activities.
- The provision of infrastructure both to and on the site.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT Overlay

Shown on the planning scheme map as **DDO2**

**BUSINESS / INDUSTRY DISPLAY AREA**

1.0

**Design objectives**

To ensure that land is developed in an orderly manner having regard to vehicle, movement, car parking, and the appearance of buildings and works.

2.0

**Buildings and works**

A site analysis should be submitted with each application which graphically explains how the proposed development will relate to its immediate surrounds.

Applications for buildings or works should comply with the following criteria and techniques:

**Infrastructure**

- All lots should be connected to reticulated water, sewerage and drainage.

**Energy efficiency**

- Buildings should be designed to benefit from solar energy, daylight and natural ventilation, particularly in respect of office areas.

**Building envelope**

**Landscaping**

- Land within 5 metres of a road should be predominantly landscaped.

**Setbacks**

- Front walls of any building should be setback from street frontages as follows:

<table>
<thead>
<tr>
<th>Adjacent development context</th>
<th>Setback provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>No development</td>
<td>8 metres</td>
</tr>
<tr>
<td>Development setback greater than 8 metres</td>
<td>9 metres</td>
</tr>
<tr>
<td>Development setback between 6 and 8 metres</td>
<td>7 metres</td>
</tr>
<tr>
<td>Development setback 6 metres or less</td>
<td>6 metres</td>
</tr>
</tbody>
</table>

- Where adjacent development has different setbacks, development should be setback the average of the minimum frontage setbacks, set out in the table.
- Buildings must be setback at least 5 metres from a residential zone.
- Buildings do not need to be setback from side streets.

**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**

- Driveway crossovers should be fully constructed with a weather proof pavement.
- Car parks should be located towards the front of the site, so as to encourage their use.
- All driveway and carpark areas within the building’s front setback area, or in another prominent location, and adjacent to a Category 1 or 2 road should be paved with a weatherproof pavement.

- Parking areas should be surfaced and graded to reduce run-off and allow stormwater to drain into the site.

**Storage areas**

- Materials stored on the site should not be directly visible from road or residential areas.

Variations to the above criteria and techniques should demonstrate that an equivalent or better design outcome can be achieved for both the site and its surrounds.

3.0

19/01/2006

VC37

**Decision guidelines**

Before deciding on an application the responsible authority may consider:

- Whether the appearance of the building and its surrounds will make a positive contribution to the streetscape.

- The effect that the building may have on nearby land and uses.

- The need to provide for business display areas, in appropriate site locations.

- The need to ensure development or works are completed and maintained to a standard appropriate to the site’s prominent location.

- To need to ensure the safety and efficiency of adjacent high volume roads.
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3

COASTAL TOWNS

1.0 Design objectives
To ensure development does not detract from the natural and built character of coastal towns. 
To provide an opportunity to consider the effect of the height of buildings on their surrounds.

2.0 Buildings and works
A permit is not required to construct a building or construct or carry out works with a building height less than 7.5 metres.
A permit is not required for a television or radio antenna, chimney or flue pipe.

3.0 Decision guidelines
Before deciding on an application the responsible authority may consider the effect of the building in respect of:

- The privacy of existing dwellings and private outdoor spaces.
- The impact on the streetscape, views to and from waterways and the natural character of the area.
- Overshadowing of neighbouring private or public open spaces or windows to habitable rooms.
SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4

RAAF - BUILDING HEIGHT

1.0

Design objectives

To ensure that building height does not adversely affect the operations of the East Sale Royal Australian Air Force Base.

2.0

Buildings and works

A permit is not required to carry out any works.

3.0

Decision guidelines

Before deciding on an application the responsible authority must consider:

- The comments of the Facilities Officer of the East Sale RAAF Base.
- The comments of the Director General Facilities - Air Force.
- The location, mass and height of the proposed development.
SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5

RAAF - BUILDING HEIGHT ABOVE 7.5 METRES

1.0 Design objectives
To ensure that building height does not adversely affect the operation of the East Sale Royal Australian Air Force Base.

2.0 Buildings and works
A permit is not required to carry out any works.
A permit is not required for any building less than 7.5 metres in building height.

3.0 Decision guidelines
Before deciding on an application the responsible authority must consider:

- The comments of the Facilities Officer of the East Sale RAAF Base.
- The comments of the Director General Facilities - Air Force.
- The location, mass, and height of the proposed development.
SCHEDULE 6 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO6

RAAF - BUILDING HEIGHT ABOVE 15 METRES

1.0 Design objectives
To ensure that building height does not adversely affect the operation of the East Sale Royal Australian Air Force Base.

2.0 Buildings and works
A permit is not required to carry out any works.
A permit is not required for any building less than 15 metres in building height.

3.0 Decision guidelines
Before deciding on an application the responsible authority must consider:

- The comments of the Facilities Officer of the East Sale RAAF Base.
- The comments of the Director General Facilities - Air Force.
- The location, mass and height of the proposed development.
SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO7

NINETY MILE BEACH, LOW DENSITY AREA

1.0

Design objectives

To provide for low density residential development which is sensitive to the coastal environs of the Ninety Mile Beach area.

To ensure that development is on lots of a size and layout which enable the effective on-site disposal of sewage, household effluent, and drainage.

2.0

Buildings and works

A dwelling may be permitted in the following circumstances:

- The land must be vacant and have comprised a tenement as shown on the tenement maps forming part of this schedule.

- More than one dwelling per tenement may be permitted at a rate of one dwelling per two adjoining lots, provided the treatment of all wastewater can be achieved within the land’s boundaries to the satisfaction of the responsible authority.

Each lot abutting an area of Crown Land and containing a habitable building may be required to be fenced to the requirements of the responsible authority. Access to the area of Crown Land from each building site must be limited to one point for pedestrian access only.

3.0

Subdivision

The number of lots created by a subdivision must be less than the number of existing lots comprising the parcel of land to be subdivided.

4.0

Decision guidelines

Before deciding on an application the responsible authority should consider:

- The extent of any vegetation proposed to be cleared.

- The likely stability of the soil after removal of the vegetation.

- The desirability of appropriately replacing destroyed or removed vegetation.

- The likely impact of the proposed development on the natural beauty or importance of the area.
SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**

HEYFIELD RESTRICTED RESIDENTIAL AND SENSITIVE USE DEVELOPMENT AREA

1.0

**Design objectives**

To encourage well-designed residential development at a density of one dwelling per lot in order to protect industrial operations on Firebrace Road and Weir Road as specified on map 1.

To incorporate appropriate siting, design, construction or other characteristics that will mitigate potentially adverse off-site effects from the nearby industrial operations as specified on map 1; thereby providing a reasonable standard of amenity for future residents and occupants.

To manage the impacts from nearby industrial activities by incorporating design and construction responses into new (or substantially altered) residential development.

2.0

**Buildings and works**

A permit is not required to construct buildings and carry out works in any of the following circumstances:

- They are located outside the threshold distance to nearby industrial operations as specified (as specified in Clause 52.10).

- They are located within the threshold distance to nearby industry as specified (as specified in Clause 52.10), but involve any of the following:
  - An extension to an existing dwelling where no further habitable rooms are being added and provided it is the only dwelling on the land; or
  - Construction of outbuildings associated with a dwelling provided it is the only dwelling on the land; or
  - Extension to an existing dependent persons unit where no further habitable rooms are being added and provided it is the only dependent persons unit on the land.

An application must be accompanied by an acoustic report prepared to the satisfaction of the responsible authority. The report must include the following:

- The current noise environment surrounding the property and how this may impact development of the site.

- The design response to the off-site effects from the industrial operations on Firebrace Road and Weir Road as specified on map 1 to avoid or mitigate the potentially adverse off-site noise effects on the development. Consideration should be given to
  - the layout and siting of buildings;
  - the choice of construction material;
  - location of private open space; and
  - design and use of barriers (for example fences and landscaping) on the lot.

The report will include recommendations as to how off-site noise effects may be mitigated on the residential property.

**Number of dwellings**

No more than one dwelling, excluding a dependent person’s unit, may be constructed on a lot. This requirement cannot be varied with a permit.
Dependent person’s unit

A planning permit is required to construct a dependent person’s unit.

No more than one dependant person’s unit may be constructed on a lot. This requirement cannot be varied with a permit.

3.0

Decision guidelines

Before deciding on an application the Responsible Authority must be satisfied that the development has regard to:

- The design response to the potentially adverse off-site noise effects from the existing and new industrial operations on Firebrace Road and Weir Road as specified on map 1.
- Whether the development provides reasonable standards of amenity for future residents and occupants.

Map 1: Location of Industrial Operations 63-73 & 75-97 Firebrace Road and Weir Road, Heyfield
SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO9.

PORT ALBERT AND PALMERSTON

1.0

Design objectives

To ensure existing and future development located within the Precincts shown on the Precinct Boundary Map below does not detract from the natural and built character of Port Albert.

To provide an opportunity to consider the effect of the design of buildings on their surrounds.

To enable the township of Port Albert/Palmerston to evolve in a manner generally consistent with the precinct objectives contained within the Port Albert/Palmerston Urban Design Guidelines, 2007.

Precinct Boundary Map

2.0

Buildings and works

A permit is not required to construct buildings and carry out works in any of the following circumstances:

- For a chimney or flue pipe.
- For an outbuilding ancillary to a dwelling that:
  - is less than 3 metres high
  - has a floor area less than 50 square metres
  - is located behind the front setback of the dwelling
  - is not within 2 metres of a side boundary.
- For an alteration or extension to an existing dwelling provided that:
- the floor area of the alteration or extension is not more than 100 square metres
- it is located behind the front setback of the dwelling
- it is not within 2 metres of a side boundary.

- For Heritage Places in the Port Albert Heritage Precinct identified in the Schedule to Clause 43.01, any development for which no planning permit is required in accordance with Clause 5.0 of the Port Albert Heritage Precinct Permit Exemptions Incorporated Plan.

Applications for buildings and works within the Precinct Boundary Map should comply with the following criteria:

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Preferred Building Setback</th>
<th>Preferred Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Heritage Tourism</td>
<td>Zero lot lines to Wharf Street</td>
<td>Buildings should not exceed a height of 9 m above ground level</td>
</tr>
<tr>
<td></td>
<td>4 m setbacks to North Street</td>
<td></td>
</tr>
<tr>
<td>2. Secondary Tourism</td>
<td>Setbacks are to be equivalent to adjoining developments</td>
<td>Buildings should not exceed a height of 9 m above ground level</td>
</tr>
<tr>
<td></td>
<td>6 m setbacks to North Street</td>
<td></td>
</tr>
<tr>
<td>3. (Tarraville Road) Historic</td>
<td>Commercial buildings and works should have zero lot lines to Tarraville Road</td>
<td>Buildings should not exceed a height of 2 storeys</td>
</tr>
<tr>
<td></td>
<td>Setbacks should have regard to the setback of adjacent and nearby buildings</td>
<td></td>
</tr>
<tr>
<td>4. Residential</td>
<td>Setbacks should have regard to the setbacks of adjacent buildings</td>
<td>Buildings should not exceed a height of 2 storeys</td>
</tr>
<tr>
<td></td>
<td>Setbacks should be a minimum of 6 m if adjoining vacant land</td>
<td></td>
</tr>
<tr>
<td>5. Central Arrival Spine</td>
<td>Setbacks should have regard to the setbacks of adjacent buildings</td>
<td>Buildings should not exceed a height of 2 storeys</td>
</tr>
<tr>
<td></td>
<td>Setbacks should be a minimum of 6 m if adjoining vacant land</td>
<td></td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application the responsible authority must consider:

- The guidelines for each particular Precinct contained within the Port Albert/Palmerston Urban Design Guidelines.

**Reference document**

*Port Albert/Palmerston Urban Design Guidelines, 2007.*
SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO10.

EMERGENCY SERVICE FLIGHT PATH AREA DDO10

1.0 Design objectives

To ensure that new development does not encroach on the flight path areas associated with the Yarram Recreation Reserve helicopter landing site.

To ensure that the new development avoids creating a hazard to aircraft in the vicinity of the Yarram Recreation Reserve helicopter landing site and to facilitate safe emergency medical service helicopter operations.

2.0 Buildings and works

A permit is required to construct a building or to construct or carry out works.

Notes: The Yarram Recreation Reserve helicopter landing site is at an elevation of 23.1 metres above the Australian Height Datum. For the purpose of this clause, building and works include radio masts, television antennae 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 Decision guidelines

Before deciding on an application, the responsible authority must consider whether the height and design of any proposed buildings and works will have an impact on the flight paths associated with the Yarram Recreation Reserve helicopter landing site.
SCHEDULE 11 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO11.

EMERGENCY SERVICE FLIGHT PATH AREA DDO11

1.0 Design objectives

To ensure that new development does not encroach on the flight path areas associated with the Yarram Recreation Reserve helicopter landing site.

To ensure that the new development avoids creating a hazard to aircraft in the vicinity of the Yarram Recreation Reserve helicopter landing site and to facilitate safe emergency medical service helicopter operations.

2.0 Buildings and works

A permit is required to construct a building or to construct or carry out works with a finished height greater than 35.1 meters above the Australian Height Datum.

A permit is required to construct a fence with a finished height greater than 35.1 meters above the Australian Height Datum.

Notes: The Yarram Recreation Reserve helicopter landing site is at an elevation of 23.1 metres above the Australian Height Datum. For the purpose of this clause, building and works include radio masts, television antennae 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 Decision guidelines

Before deciding on an application, the responsible authority must consider whether the height and design of any proposed buildings and works will have an impact on the flight paths associated with the Yarram Recreation Reserve helicopter landing site.
SCHEDULE 12 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO12

COBAINS ROAD HOMEMAKERS CENTRE & BULKY GOODS RETAILING

Design objectives
To provide land north of Cobains Road and east of the Princes Highway substantially for the development of a homemakers and bulky goods retailing centre and their associated uses.
To recognise that the land is situated at a major entrance to the town and that the design and development of the built form should enhance the visual quality and amenity of the gateway.
To provide appropriate design and buffer treatments between the land and the adjoining future residential land use to the east.

Buildings and works

Landscape and setback
A setback of 10m from a road shall be set aside for landscaping.
A setback of 20m from a current or proposed sensitive use shall be set aside for landscaping.
Landscaping at the front of lots should involve the planting of trees.
Sympathetic landscaping and screening with the planting of trees is required for the rear of lots facing the future residential area.
Car parking shall not be provided in the landscape setback.
Car park areas shall be landscaped to diminish the visual extent and impact of car parking on the highway.

Site Layout
Loading and service functions will be sited to the rear of premises and appropriately screened to address visual and acoustic considerations.
Safe, segregated pedestrian routes shall be provided around and between sites.
Car parking shall be provided to the front of the site to encourage their use.

Infrastructure
All lots should be connected to reticulated water, sewerage and drainage.
Developments should be connected to reticulated sewerage and storm water systems.

Buildings
Buildings should cover no more than 50% of the site.
Contemporary and creative architecture is encouraged in the design of form, style and finishes with the intent of assembling one or more buildings that visually integrate and complement each other.
Buildings should be designed to promote the integrated development of a homemaker and bulky goods retail centre.

Advertising signs
Apart from a sign identifying the bulky goods retail site, signage shall be confined to simple, clear business identification signs on premises.
Other than a sign for the homemaker or bulky goods retailing centre, no other signs will be permitted in the landscape setback.

**Decision Guidelines**

Before deciding on an application, the responsible authority should consider:

- Whether the development supports the establishment of a dedicated homemaker/bulky goods retail centre in an integrated manner.

- Whether the appearance of the building and its surrounds will make a positive contribution to the streetscape.

- The effect on amenity that the building may have on nearby land uses and the future residential area to the east.

- The need to provide for business display areas, in appropriate site locations.

- The need to ensure development or works are completed and maintained to a standard appropriate to the site’s prominent location.

- To need to ensure the safety and efficiency of adjacent high volume roads.
SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO13

GOLDEN BEACH/PARADISE BEACH

1.0 Design objectives

To protect and enhance the coastal township character of Golden Beach/Paradise Beach.
To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the
neighbourhood setting.
To encourage the design of new buildings in residential areas that minimise their visual impact on
the prevailing natural landscape.
To minimise the extent of earthworks.
To ensure that new buildings reflect and extend the principles of good design in terms of
sustainability.
To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in
terms of creating a silhouette above a skyline or existing tree canopy line when viewed from
surrounding streets, properties, lakes or coastal areas.
To ensure that fencing maintains the open nature of development.
To recognise where substantial vegetation cover is a dominant visual and environmental feature
of the local area by ensuring that site areas are large enough to accommodate development while
retaining natural or established vegetation cover.
To ensure that subdivision proposals will enable new buildings to be integrated with their site and
the surrounding area in terms of the relationship to existing buildings, open space areas and the
coastal landscape.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works if the following
requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- The total area of buildings and works on a site (including building footprint and external decks)
is not greater than 150 square metres. This does not apply to wastewater treatment and disposal
areas and driveways.
- The difference between finished ground level and natural ground level as a result of excavation
or filling must not exceed one metre and must be properly battered or retained.
- Buildings with frontage to Shoreline Drive are setback at least 10 metres from the frontage.
- Side boundary setbacks are a minimum of 2 metres.
A permit is required for a fence other than a post and wire fence.

3.0 Design Standards

Any permit issued in respect of the construction of buildings or works or construction of a fence
or subdivision:

- must respond to the design objectives in Clause 1.0; and
- must have regard to the following design standards:
Building Height
- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, lakes or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level.

Setbacks
- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.

Site Coverage and Site Excavation
- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.
- Vehicular access on steep slopes should be minimised.
- Batters on steep slopes should be stabilised by vegetation.

Landscaping
- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be complementary and subservient within the landscape.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

Fencing
- Fencing should be designed to maintain the open nature of development.

Application requirements
An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:
- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

Decision guidelines
Before deciding on an application, the responsible authority must consider where relevant:
In relation to buildings and works (including fences):
- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.

- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.

- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.

- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.

- The impact of any new development on adjoining public land.

- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.

- The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.

- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.

- The effect of the proposed fencing on the movement of wildlife.

- In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:

- The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.

- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.

- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.

- The provision for water sensitive urban design.

- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.

- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

- Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

**Policy Reference**

SCHEDULE 14 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO14

THE HONEYSUCKLES

1.0 Design objectives

To protect and enhance the coastal township character of The Honeysuckles.

To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the neighbourhood setting.

To encourage the design of new buildings in residential areas that minimise their visual impact on the prevailing natural landscape.

To ensure that new buildings reflect and extend the principles of good design in terms of sustainability.

To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, lakes or coastal areas.

To ensure that fencing maintains the open nature of development.

To recognise where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring that site areas are large enough to accommodate development while retaining natural or established vegetation cover.

To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- The total area of buildings and works on a site (including building footprint and external decks) is not greater than 150 square metres. This does not apply to wastewater treatment and disposal areas and driveways.
- Buildings with frontage to Shoreline Drive are setback at least 10 metres from the frontage.
- Side boundary setbacks are a minimum of 2 metres.

A permit is required for a fence other than a post and wire fence.

3.0 Design Standards

Any permit issued in respect of the construction of buildings or works or construction of a fence or subdivision:

- must respond to the design objectives in Clause 1.0; and
- must have regard to the following design standards:

Building Height

- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, lakes or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level.
Setbacks

- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.

Site Coverage and Site Excavation

- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.

Landscaping

- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be complementary and subservient within the landscape.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

Fencing

- Fencing should be designed to maintain the open nature of development.

Application requirements

An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:

- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

Decision guidelines

Before deciding on an application, the responsible authority must consider where relevant:

In relation to buildings and works (including fences):

- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.
- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.
- The impact of any new development on adjoining public land.
- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.
- The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.
- The effect of the proposed fencing on the movement of wildlife.
- In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:

- The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.
- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.
- The provision for water sensitive urban design.
- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.
- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.
- Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

**Policy Reference**

SCHEDULE 15 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**

**SEASPRAY**

1.0  
**Design objectives**

To protect and enhance the coastal township character of Seaspray.

To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the neighbourhood setting.

To encourage the design of new buildings in residential areas that minimise their visual impact on the prevailing natural landscape.

To ensure that new buildings reflect and extend the principles of good design in terms of sustainability.

To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, lakes or coastal areas.

To recognise where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring that site areas are large enough to accommodate development while retaining natural or established vegetation cover.

To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

2.0  
**Buildings and works**

A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- Side boundary setbacks are a minimum of 2 metres.

3.0  
**Design Standards**

**Requirements**

Any permit issued in respect of the construction of buildings or works or subdivision:

- must respond to the design objectives in Clause 1.0; and
- must have regard to the following design standards:

**Building Height**

- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, lakes or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level

**Setbacks**

- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.
Site Coverage and Site Excavation

- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.

Landscaping

- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be should be complementary and subservient within the landscape.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

Application requirements

An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:

- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

Decision guidelines

Before deciding on an application, the responsible authority must consider where relevant:

In relation to buildings and works:

- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.
- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.
- The impact of any new development on adjoining public land.
- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.
The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.

Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.

In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:
- The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.
- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.
- The provision for water sensitive urban design.
- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.
- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.
- Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

Policy Reference

6.0
SCHEDULE 16 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO16

WOODSIDE BEACH

1.0

Design objectives

To protect and enhance the coastal township character of Woodside Beach.

To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the neighbourhood setting.

To encourage the design of new buildings in residential areas that minimise their visual impact on the prevailing natural landscape.

To ensure that new buildings reflect and extend the principles of good design in terms of sustainability.

To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties or coastal areas.

To ensure that fencing maintains the open nature of development.

To recognise where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring that site areas are large enough to accommodate development while retaining natural or established vegetation cover.

To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

2.0

Buildings and works

A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- The total area of buildings and works on a site (including building footprint and external decks) is not greater than 150 square metres. This does not apply to wastewater treatment and disposal areas and driveways.
- Side boundary setbacks are a minimum of 2 metres.

A permit is required for a fence other than a post and wire fence.

3.0

Design Standards

Any permit issued in respect of the construction of buildings or works or construction of a fence or subdivision:

- must respond to the design objectives in Clause 1.0; and
- must have regard to the following design standards:

Building Height

- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level.
Setbacks

- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.

Site Coverage and Site Excavation

- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.

Landscaping

- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be complementary and subservient within the landscape.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

Fencing

- Fencing should be designed to maintain the open nature of development.

4.0

Application requirements

An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:

- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

5.0

Decision guidelines

Before deciding on an application, the responsible authority must consider where relevant:

In relation to buildings and works (including fences):

- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.
- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.

- The impact of any new development on adjoining public land.

- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.

- The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.

- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.

- The effect of the proposed fencing on the movement of wildlife.

- In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:

- The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.

- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.

- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.

- The provision for water sensitive urban design.

- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.

- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

- Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

### Policy Reference

SCHEDULE 17 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO17

MCLOUGHLINS BEACH

1.0 Design objectives

To protect and enhance the coastal township character of McLoughlins Beach.

To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the neighbourhood setting.

To encourage the design of new buildings in residential areas that minimise their visual impact on the prevailing natural landscape.

To ensure that new buildings reflect and extend the principles of good design in terms of sustainability.

To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties or coastal areas.

To recognise where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring that site areas are large enough to accommodate development while retaining natural or established vegetation cover.

To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- Side boundary setbacks are a minimum of 2 metres.

3.0 Design Standards

Any permit issued in respect of the construction of buildings or works or subdivision:

- must respond to the design objectives in Clause 1.0; and
- must have regard to the following design standards:

Building Height

- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level.

Setbacks

- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.
Site Coverage and Site Excavation

- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.

Landscaping

- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be complementary and subservient within the landscape.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

4.0

30/06/2011

C50(Part 2)

Application requirements

An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:

- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

5.0

30/06/2011

C50(Part 2)

Decision guidelines

Before deciding on an application, the responsible authority must consider where relevant:

In relation to buildings and works:

- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.
- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.
- The impact of any new development on adjoining public land.
- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.
- The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.

- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.

- In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:

- The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.

- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.

- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.

- The provision for water sensitive urban design.

- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.

- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

- Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

**Policy Reference**

SCHEDULE 18 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO18

MANNS BEACH

1.0 Design objectives

To protect and enhance the coastal township character of Manns Beach.

To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the neighbourhood setting.

To encourage the design of new buildings in residential areas that minimise their visual impact on the prevailing natural landscape.

To ensure that new buildings reflect and extend the principles of good design in terms of sustainability.

To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties or coastal areas.

To recognise where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring that site areas are large enough to accommodate development while retaining natural or established vegetation cover.

To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- Side boundary setbacks are a minimum of 2 metres.

3.0 Design Standards

Any permit issued in respect of the construction of buildings or works or subdivision:

- must respond to the design objectives in Clause 1.0; and
- must have regard to the following design standards:

Building Height

- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level.

Setbacks

- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.
Site Coverage and Site Excavation

- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.

Landscaping

- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be complementary and subservient within the landscape.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

Application requirements

An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:

- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

Decision guidelines

Before deciding on an application, the responsible authority must consider where relevant:

In relation to buildings and works:

- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.
- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.
- The impact of any new development on adjoining public land.
- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.
The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.

Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.

In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:

The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.

The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.

Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.

The provision for water sensitive urban design.

Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.

Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

Policy Reference

SCHEDULE 19 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO19**

ROBERTSONS BEACH

1.0 Design objectives
To protect and enhance the coastal township character of Robertsons Beach.
To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the neighbourhood setting.
To encourage the design of new buildings in residential areas that minimise their visual impact on the prevailing natural landscape.
To ensure that new buildings reflect and extend the principles of good design in terms of sustainability.
To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties or coastal areas.
To recognise where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring that site areas are large enough to accommodate development while retaining natural or established vegetation cover.
To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

2.0 Buildings and works
A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- Side boundary setbacks are a minimum of 2 metres.

3.0 Design Standards
Any permit issued in respect of the construction of buildings or works or subdivision:

- must respond to the design objectives in Clause 1.0; and
- must have regard to the following design standards:

**Building Height**

- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level.

**Setbacks**

- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.
**Site Coverage and Site Excavation**

- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.

**Landscaping**

- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be complementary and subservient within the landscape.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

**Application requirements**

An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:

- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider where relevant:

In relation to buildings and works:

- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.
- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.
- The impact of any new development on adjoining public land.
- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.
- The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.

- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.

- In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:

- The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.

- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.

- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.

- The provision for water sensitive urban design.

- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.

- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

- Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

**Policy Reference**

SCHEDULE 20 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO20**

**LOCH SPORT**

### Design objectives

To protect and enhance the coastal township character of Loch Sport.

To ensure that the height and visual bulk of new dwellings and extensions are acceptable in the neighbourhood setting.

To encourage the design of new buildings in residential areas that minimise their visual impact on the prevailing natural landscape.

To minimise the extent of earthworks.

To ensure that new buildings reflect and extend the principles of good design in terms of sustainability.

To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, lakes or coastal areas.

To ensure that fencing maintains the open nature of development.

To recognise where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring that site areas are large enough to accommodate development while retaining natural or established vegetation cover.

To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

To ensure that new buildings in the Loch Sport Town Centre Business Zone are designed to be of high quality contemporary architecture and to take advantage of water views and access to Lake Street.

### Buildings and works

A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- The maximum building height does not exceed 7.5 metres above natural ground level.
- The total area of buildings and works on a site (including building footprint and external decks) is not greater than 150 square metres. This does not apply to wastewater treatment and disposal areas and driveways.
- The difference between finished ground level and natural ground level as a result of excavation or filling must not exceed one metre and must be properly battered or retained.
- Side boundary setbacks are a minimum of 2 metres.

A permit is required for a fence other than a post and wire fence.

### Design Standards

**Requirements**

Any permit issued in respect of the construction of buildings or works or construction of a fence or subdivision:

- must respond to the design objectives in Clause 1.0; and
must have regard to the following design standards:

**Building Height**
- New buildings should not be visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets, properties, lakes or coastal areas. The preferred height of new buildings should not exceed 7.5 metres above natural ground level.

**Setbacks**
- Front setbacks should provide opportunities for landscaping and be consistent with existing residential development.
- Side setbacks should provide opportunities for landscaping.
- New buildings within the Loch Sport Town Centre Business Zone should be sited to take advantage of access and proximity to Lake Street.

**Site Coverage and Site Excavation**
- New buildings should minimise their impact on the prevailing natural landscape from both visual and ecological perspectives. Buildings and works should be sited to minimise excavation and building footprint.
- Vehicular access on steep slopes should be minimised.
- Batters on steep slopes should be stabilised by vegetation.

**Landscaping**
- Existing indigenous vegetation and in particular coastal banksias should be retained wherever possible. New buildings should be complementary and subservient within the landscape.
- Development on steep slopes should include indigenous plant revegetation to ensure that batters are stabilised.
- Where trees or ground flora are removed, they should be replaced with new indigenous trees or ground flora planting.

**Fencing**
- Fencing should be designed to maintain the open nature of development.

**Application requirements**
An application for buildings and works must include the following information where relevant and to the satisfaction of the Responsible Authority:
- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale.
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale.
- The location, type and size of any indigenous trees or mature native vegetation to be removed.
- The location, dimensions and depth of any proposed excavations or fill.
- The location, height and form of any existing dwellings (on abutting and adjacent land).
- In areas where reticulated sewerage is not available, a report from a suitably qualified person to demonstrate whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.
**Decision guidelines**

Before deciding on an application, the responsible authority must consider where relevant:

In relation to buildings and works (including fences):

- The design objectives and design standards of this schedule.
- Any siting and design guidelines prepared by the Victorian Coastal Council or Gippsland Coastal Board.
- The effect of any proposed development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The extent of earthworks proposed and the means required to ensure site stability, prevent erosion and control storm water flows within the site.
- The impact of any new development on adjoining public land.
- Whether any loss of amenity to residents of existing dwellings on surrounding land will result from a variation to the requirements of this schedule.
- The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.
- The effect of the proposed fencing on the movement of wildlife.
- In areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.

In relation to a proposed subdivision:

- The effect of any proposed subdivision on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.
- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.
- The provision for water sensitive urban design.
- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.
- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.
- Whether reticulated sewerage is available or in areas where reticulated sewerage is not available, whether effluent can be retained and treated on-site, without contaminating groundwater, in accordance with State Environmental Protection Policies.
SCHEDULE 21 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO21.

ALBERTON TOWNSHIP

1.0

Design objectives
To ensure development in Alberton is in keeping with the rural residential character of the area.
To ensure that the height and visual bulk of new dwellings are acceptable in the neighbourhood setting.
To ensure that development is provided with an appropriate level of infrastructure.

2.0

Buildings and works

Permit not required
A permit is not required to construct a building or carry out works for any of the following:
- An extension or alteration to an existing building.
- An outbuilding associated with an existing dwelling.
- Works ancillary to an existing dwelling.

Mandatory requirements
The following requirements apply, as appropriate, to all buildings and works.
These requirements cannot be varied with a planning permit.

Density
A planning permit must not be issued for more than one dwelling on a lot.

Infrastructure
- All new development must be connected to a reticulated sewerage system.
- All new development must be connected to a reticulated drainage system or an alternative approved by the responsible authority
- Road access must be provided to the satisfaction of the responsible authority.

Application Requirements
An application for buildings and works must include the following information to the satisfaction of the Responsible Authority:
- The location of any proposed building and works clearly dimensioned on a site plan drawn to scale which also includes:
  - Provision of all services including drainage and sewerage
  - The location, layout and width of vehicle crossings
  - Details of proposed access to the site
- The height of any proposed building above natural ground level clearly dimensioned on each elevation drawn to scale. The elevations should show all external materials, colours and finishes, including roofs, that complement the rural character of the area.
- The location, height and form of any existing buildings and vegetation (including those on adjoining allotments within 5m of the parcel boundary)
3.0 Subdivision

Each lot created must have a minimum area of 1500 square metres.

A planning permit cannot be granted to vary this requirement, except in the following circumstances:

- The subdivision realigns the boundary between existing lots, provided no new lot or additional subdivision potential is created.

- Two or more dwellings have lawfully existed on a lot and the subdivision proposes to create separate lots for each dwelling.

- The subdivision is being undertaken to create land for a road, utility installation or for any other public purpose.

4.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

- The design objectives of this schedule.

- The effect of any proposed subdivision or development on the environment and landscape values of the site and locality.

- The effect that the subdivision or development may have on nearby land including, but not limited to:
  - Agricultural practices,
  - Coal resources,
  - Corner Inlet Ramsar Wetland,
  - Albert, Jack and Tarra Rivers.
SCHEDULE 22 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO22.

RESIDENTIAL DEVELOPMENT SOUTH OF STEVENS STREET, SALE

Stevens Street is at the edge of the urban growth boundary to the south of Sale. Stevens Street is characterised by detached dwellings. Front yards are predominately free of fences which give the street a green and open landscape character. The majority of dwellings are on the northern side of Stevens Street. The Ramsar wetlands are located directly south of Stevens Street and extensive views over the wetlands are visible along the entire street.

1.0 Design objectives

To promote high quality architecturally designed dwellings that utilise design and materials which are sympathetic to the landscape including split level building forms.

To ensure new development contributes to the unique streetscape of Stevens Street and to strengthen the general sense of living on the edge of Sale.

To protect view lines to the Ramsar wetlands from Stevens Street.

To ensure development responds to the topography of the land and earthworks do not alter the nature of the topography of the area.

To ensure development is not visually intrusive and does not dominate the streetscape and wider landscape setting.

2.0 Buildings and works

A permit is not required to construct:

- A pergola or verandah with a finished floor level of less than 800mm above ground level and a maximum building height of less than 3 metres above ground level.
- A deck or balcony with a finished floor level of less than 800mm above ground level.

A permit is required to construct:

- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A fence.

Design standards

The following requirements apply to all buildings and works, as appropriate:

Building height

All buildings, including outbuildings, should not exceed a maximum building height of 4.5 metres above natural ground level or 11 metres above AHD, whichever is the lowest.

Minimum Finished Floor Level

All buildings, including outbuildings, should have a minimum finished floor level of 3.7 metres above the AHD.
Building envelope

All buildings and works must be contained within the building envelope of each lot as per Diagrams 1 and 2 included in this schedule. This includes any associated outbuildings.

The following buildings and works are allowable outside the building envelope:

- A fence.
- A pergola or verandah.
- A deck or balcony.

Siting and sloping considerations

Dwellings should be sited and designed to take advantage of the natural slope conditions. Split level designs are encouraged to complement the slope of the land.

All buildings, including outbuildings, decks and verandahs should not exceed the maximum finished floor level of 1 metre above natural ground level.

Careful siting of buildings and works is required to ensure that:

- The benefit of passive solar access is utilised and maximised and to minimise energy consumption.
- The privacy and amenity of neighbours is respected.
- Views from the site are capitalised upon.
- Space between buildings is maintained.

Built form and architectural style

Dwellings should be designed to be the dominant building on the lot.

The style and architecture of all development should strongly relate to and be complimentary to the unique environment of the adjacent Ramsar wetlands and floodplain by ensuring that:

- the built form is articulated and fragmented in its appearance to break up the mass of the building. Roofs should be designed to be of low visual impact to protect views;
- balconies and decks extend the interior of the house outside and integrate the architecture with the natural environment; and
- a cohesive image for the development is created by a considered and restrained use of colour and materials that will enable harmony between the architecture and natural environment. Muted tones and materials to all buildings and works, including fencing must be used to blend with the landscape and preserve the aesthetic amenity of the area.

Dwellings should be designed to provide active and aesthetic street frontages as such front facades should incorporate at least one habitable window.

Front facades are to be articulated with stepped walls or architectural detail to prevent a “flat” appearance. Dwellings with the same or similar facade design must not be constructed within three house lots on either side of a property.

Fencing

Fencing should be designed to maintain the open nature of the streetscape and surrounding Ramsar wetlands.

Fences should be placed on the lot boundary.

Any fence forward of the front facade must be no more than 1 metre in height and be semi-permeable. This includes side boundary fences forward of the front facade to enable the open and seamless feel of the streetscape to be maintained.
Fences on the back boundary should be semi-permeable to maintain the open and seamless feel and connection with the Ramsar wetlands.

**Landscaping and access**

There must be no more than one single driveway/access per allotment.

Front yards should be surfaced with predominately permeable material.

No fill whatsoever is permitted below 3.7 metres AHD.

**Application requirements**

An application for buildings and works, including fences, pergolas, verandahs, decks and balconies, must include the following information to the satisfaction of the responsible authority:

- The location of all proposed buildings and works clearly dimensioned on a site plan drawn to scale.
- Location, height and form of existing dwellings abutting and adjacent to the property.
- The location, dimensions and depth of any proposed excavations or fill.
- Elevations that show the natural ground level, height of proposed buildings and works and all external materials, colours and finishes, including roofs. Drawings should be to scale and refer to AHD.
- How the application meets design objectives and decision guidelines of this schedule.
- How water sensitive urban design is incorporated into the design.
- Measures necessary during the construction and ongoing residential activities to protect the Ramsar wetlands through an environment management plan.

**Exemption from notice and appeal**

An application to construct a building or construct or carry out works or to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application the responsible authority must consider, as appropriate:

- The impact of the development on the environment, landscape values and character of Stevens Street and the Ramsar wetlands.
- The height of buildings to ensure that they retain an inconspicuous profile and do not dominate the landscape.
- The minimum finished floor levels to ensure appropriate level of protection from flooding risks.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level building forms that follow the natural slope of the land and reduce the need for site excavation or filling.
- The design response to the unique landscape setting of Stevens Street to ensure an appropriate interface with the public realm and the significant views to the Ramsar wetlands is achieved.
Diagram 1: Building envelopes/subdivision plan opposite 37-39 and 41 Stevens Street, Sale

Diagram 2: Building envelopes/subdivision plan 74 Stevens Street, Sale
DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.
This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Preparation of the development plan

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.
SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1.

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly development of the general area affected by the Development Plan Overlay.

2.0

Conditions and requirements for permits

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities, and roads.
- The potential for future re-subdivision.
- The relationship of proposed and existing nearby developments, to reduce the chance of conflicting developments.
- The need to minimise access points to designated category 1 roads.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing of the development of the land.
- The consistency of the proposed development with the approved development plan.

3.0

Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority. The plan must show:

Land use and Subdivision

- The proposed boundaries of the development area, and provide justification for those boundaries.
- The overall subdivision of the area, including where possible, the proposed subdivision lot layout.
- The overall pattern of development of the area, including any proposed future zoning shown on relevant strategy plan within clauses 21.05 - 21.12.
- The proposed use and development of each part of the area.
- Street networks that provide direct, safe and convenient pedestrian and cycle access and where appropriate, support the use and operation of public transport.
- An accessible and integrated network of walking and cycling routes for safe and convenient travel to other adjoining communities (including existing and future areas included within the DPO), local destinations, open spaces and points of interest.
- The provision of any commercial facilities and the extent to which these can be located with other community or social facilities to create lively, clustered and more walkable neighbourhood destinations and centres of social and commercial activity.

Infrastructure Services

- The provision of an integrated drainage scheme for the area.
The pattern and location of the major arterial road network of the area including the location and details of any required:
- Road widening.
- Intersections.
- Access points.
- Pedestrian crossing or safe refuges.
- Cycle lanes.

The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points.

The identification and where appropriate, provision of public transport stops within easy walking distance to residential dwellings and key industrial and commercial areas.

**Community Facilities**

- The provision of any community facilities, including schools, pre-schools, infant welfare centres and elderly citizen centres.

- The provision of informal opportunities for community gathering and social interaction particularly where this encourages incidental physical activity. For example:
  - Provide public seating arranged so that interaction is facilitated, these should be provided at regular intervals along paths of travel.
  - Provide shading for seating and picnic areas.
  - Provide trees for shading and aesthetics along pathways and places where people may gather.
  - Locate paths away from potential hiding places and entrapment spots.
  - Achieve clear and safe connection through signage, landscaping, lighting and edge treatment.

- The provision of public toilets where required in accordance with Council policies.

**Open Space Network and General Amenity**

- The location of public open space and:
  - The extent to which each proposed dwelling in the area will have easy and walkable access to open space (preferably within 500m walking distance).
  - The use of the space can be determined or facilitated through the provision of any specific facilities or localities or services (e.g. playground, seating).
  - The degree of natural surveillance that is created by proposed or existing development to provide a sense of safety and security as well as integration with the surrounding neighbourhood. For example:
    - property and fence lines should be clear and barrier free to enable Continuous Accessible Paths of Travel.
    - shade structures should not obstruct access.
    - encourage active frontages and use buildings to frame public places.

- The public open space is integrated into, and accessible via, clearly defined local network pathways for pedestrian and/or cyclist.

- An overall scheme for landscape planting and the preservation of stands of exiting indigenous vegetation and individual trees wherever possible.
Process and Outcomes
The plan should be developed with an appropriate level of community participation as determined by the responsible authority.

A management plan must be submitted as part of the development plan, indicating the proposed staging of the development.

Decision guidelines for development plan
Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- SEPA principles of healthy urban design – refer to the Healthy by Design guidelines.
- Rescode (Clause 56) – Rescode only applies to residential zones, the Mixed Use Zone and the Township Zone.
- Any open space requirements outlined in Clause 52.01.
SCHEDULE 2 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO2

VACANT AND SEMI-DEVELOPED INDUSTRIAL AREAS

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly development of the general area affected by the Development Plan Overlay.

2.0 Conditions and requirements for permits

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to the Purpose of the Industrial Zone; the Purpose of adjoining zones; essential services; community facilities; and roads.

- The potential for future re-subdivision.

- The relationship of proposed and existing nearby developments, to reduce the chance of conflicting developments.

- The need to minimise access points to designated Category 1 and 2 roads.

- The design of any proposed buildings to enhance and reinforce the character of the area.

- The timing of the development of the land.

- The consistency of the proposed development with the approved development plan.

3.0 Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority.

The plan must show:

Land use and Subdivision

- The proposed use and development of each part of the land having regard to the Purpose of the Industrial 1 Zone.

- The relationship between the proposed use and development of each part of the land with the existing or proposed use of the land.

- The proposed boundaries of the development area, and provide justification for those boundaries.

- The overall subdivision of the area, including where possible, the proposed subdivision lot layout that has regard to the types of uses which are proposed or likely to be developed.

- The overall pattern of development of the area, including any proposed future zoning shown on any relevant strategy plan within the MSS.

- Indicates how the use and development of the land will compliment and not detract from the use and amenity of any adjoining or adjacent future residential land use.

- Street networks that provide direct, safe and convenient pedestrian and cycle access and where appropriate, support the use and operation of public transport.
If required, an accessible and integrated network of walking and cycling routes for safe and convenient travel to other adjoining communities (including existing and future areas included within the DPO), local destinations, open spaces and points of interest.

The identification of major drainage lines, water features, proposed retarding basins and floodways, and the means by which they will be managed and water quality maintained.

An overall landscape scheme detailing the proposed landscape planting, the preservation of any existing native vegetation, together with any areas for regeneration.

The identification of sites that are potentially contaminated, are of biological, conservation, heritage and archaeological significance and the means by which they will be protected, managed, and potential impacts minimised.

**Infrastructure Services**

- The provision of an integrated water, sewerage, drainage, electricity and gas scheme for the area.
- The pattern and location of the major arterial road network of the area including the location and details of any required:
  - Road widening.
  - Intersections.
  - Access points.
  - Cycle lanes.
- The pattern and location of any internal road system that minimises access points to designated Category 1 and 2 roads, and is based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections.
- The identification and where appropriate, provision of public transport stops within easy walking distance to residential dwellings and key industrial and commercial areas.

**Process and Outcomes**

The plan should be developed with an appropriate level of community participation as determined by the responsible authority.

A management plan must be submitted as part of the development plan, indicating the proposed staging and timing of the development.

**Decision guidelines for development plan**

Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- Any relevant building design guidelines that set out the preferred scale, form, height and colour of buildings and fences, and measures to minimise impacts upon views from arterial roads and sensitive surrounding uses and areas.
- SEPA principles of healthy urban design – refer to the Healthy by Design Guidelines.
- The long-term effect on the amenity of future and current sensitive land uses.
SCHEDULE 3 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO3**

**COBAINS ROAD HOMEMAKERS CENTRE & BULKY RETAILING**

1.0

**Requirement before a permit is granted**

No buildings or works may be constructed and no subdivision shall be approved on the Cobains Road Homemakers Centre & Bulky Goods Retailing site until an overall development plan for the land has been prepared and approved to the satisfaction of the responsible authority.

2.0

**Conditions and requirements for permits**

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- Agriculture and any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing use or development.

3.0

**Requirement for development plan**

No buildings or works may be constructed and no subdivision may be approved on the Cobains Road Homemakers Centre & Bulky Goods Retailing site until an overall development plan for the land has been prepared to the satisfaction of the responsible authority.

The development plan must:

- Provide for the main use of the land as a homemaker and bulky goods retail site providing for restricted retail premises and their associated activities.
- Provide for other complimentary uses of the land in a location that:
  - will not fragment the integrated development of bulky goods and restricted retailing on the land;
  - will not impede the long term growth potential of businesses;
  - will not lead to a concentration of industrial uses that would result in a defacto industrial precinct.
  - will not lead to incremental development of industrial premises within the bulky goods retailing centre
- Show the stages of the development.
- Identify access points on to the Princes Highway and the principal road network in and around the site, incorporating a one way service road to be designed and constructed to the satisfaction of Vic Roads and the Responsible Authority.
- Show pedestrian and cycle networks to and within the site.
- Provide for the integration of public transport services to or within the site including the location of a bus stop.
- Indicate the intended subdivision of the land in a manner that will facilitate the scale of intended uses and the integrated supply of car parking and loading facilities.
- Indicate how the use and development of the land will complement and not detract from the use and amenity of any adjoining or adjacent future residential land use.
The relationship of proposed and existing nearby developments, to reduce the chance of conflicting developments.

Be based upon a detailed site analysis that has had regard to:
- The existing and strategic land use and planning context.
- Flora and fauna.
- Access onto the road network.
- Drainage and flooding.
- Topography.
- Views and vista to and from the site.
- Existing pedestrian and cycle networks.

4.0

Decision Guidelines

Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- The need for an integrated bulky goods retail and dedicated homemaker centre development as identified in the Sale Industrial Land and Retail Assessment (Essential Economics Pty Ltd, April 2006) and the Strategic Assessment of Options for the Provision of Additional Industrial, Bulky Goods Retailing and CBD Retailing Land in Sale report (Coomes Consulting Group, October 2007).

- Any relevant building design guidelines that set out the preferred scale, form, height and colour of buildings and fences, and measures to minimise impacts upon views from arterial roads and sensitive surrounding uses.

- SEPA principles of healthy urban design – refer to the Healthy by Design Guidelines.

- The long-term effect on the amenity of future and current sensitive land uses.
SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4

NORTH SALE DEVELOPMENT AREA STAGE 1

Objectives

The objectives of this schedule are to:

- Create an integrated, high-amenity development that provides for Sale’s residential and associated needs;
- Create a vibrant precinct with a distinct character and sense of place;
- Create an efficient, safe and legible network for vehicles, pedestrians and cyclists;
- Ensure the provision of all infrastructure necessary to support the efficient functioning of the precinct;
- Ensure opportunities for expansion of residential and associated areas through appropriate design of allotments and access networks; and
- Ensure that development within the development plan area does not prejudice the future use and development of the general area surrounding it.

1.0

Requirement before a permit is granted

A permit may be granted before a development plan is prepared and approved to the satisfaction of the responsible authority for the following:

- Subdivision of land to create new road reserves;
- Excision of land for consolidation with an adjoining Title (whether or not in the same ownership);
- Minor extensions, additions or modifications to an existing development.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the general area surrounding the area affected by the Development Plan Overlay.

2.0

Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority and must address, among other relevant factors, the objectives of the schedule and all components listed below.

General Provisions

The Development Plan must:

- Show the proposed boundaries of the development area, and provide justification for those boundaries;
- Include a Site Analysis Plan which shows the topography of the land, areas prone to erosion and/or inundation and the location of any existing:
  - vegetation;
  - drainage lines;
  - channels;
  - access points;
  - water bodies.
- buildings;
- easements.

- Show the lot layout for the area, which:
  - Responds to the features of the land as identified in the Site Analysis Plan;
  - Details the proposed use and development of each part of the area;
  - Creates a network of open space across the site;
  - Demonstrates sensitivity towards the envisaged character of the wider development area by having regard to the spatial relationships between key elements, including:
    - The future Gippsland Regional Sports Complex;
    - The future Education Precinct;
    - A network of Public Open Space;
    - The Central Spine (for vehicles, pedestrians and cyclists) running East-West between the future Education Precinct and the future Gippsland Regional Sports Complex;
    - Southern Rural Water’s irrigation channel; and
    - Any other element that contributes to the enhancement/creation of character and sense of place.

- Provides efficient and safe pedestrian, cyclist and vehicle movements within the development plan area, as well as an accessible and integrated network of pedestrian, cyclist and vehicle routes for safe and convenient travel to other adjoining communities (including existing and future communities), local destinations, open spaces and points of interest;

- Ensures connectivity with nearby land to allow for expansion of residential areas;

- Ensures compatibility with adjoining land-use(s) through appropriate interface treatment(s).

- Make provision for a major intersection on the Princes Highway (between the two developments) to ensure East-West connectivity and effectively link the wider development area (including residential, business, sporting and other areas);

- Provide a reserve of at least 10 meters from the boundary of the Southern Rural Water irrigation channel easement on the northern edge of the development plan area;

- Make provision for commercial facilities in appropriate locations, especially in proximity to other community or social facilities to create lively, clustered and more walkable neighbourhood destinations and centres of social and commercial activity;

- Incorporate, as appropriate, principles and strategies of **Crime Prevention Through Environmental Design** (CPTED) into the design of all public spaces, which must account for:
  - Passive surveillance – to be achieved in part by:
    - Maintaining clear sightlines around public spaces and facilities/services (e.g. playground, seating);
    - Designing allotments such that buildings frame public spaces;
    - Providing appropriate lighting in public areas; and
    - Ensuring public open space is integrated into, and accessible via, clearly defined local pathways for pedestrians and/or cyclists;
  - Active frontages – to be achieved in part by designing subdivisions to ensure commercial and non-residential buildings will face public areas; and
  - Other appropriate principles and strategies.
- Provide for Continuous Accessible Paths of Travel.
- Include a Staging Plan which:
  - Indicates the stages and interim treatments, if any, in which the land is to be developed; and
  - Outlines when all relevant components of physical infrastructure are to be provided.

**Public Open Space**
The development plan must include a Public Open Space Plan which:
- Identifies the location of public open space and land to be used for drainage, while distinguishing between the proportion of land provided for each of these purposes;
- Ensures public open space is integrated into, and accessible via, clearly defined local pedestrian and cyclist networks;
- Details the extent to which each proposed dwelling in the area will have easy and walkable access to open space (preferably within 500m walking distance);
- Includes details of the function and maintenance of any wetland system;
- Incorporates Water Sensitive Urban Design (WSUD) principles, including recycling infrastructure and use of treated water;
- Includes indigenous plant species in the landscaping of public open space reserves in accordance with the Department of Sustainability’s Revegetation Planting Standards.
- Identifies:
  - Landscape treatments:
    - at entrance gateways (into the estates);
    - along the Princes Highway; and
    - along the Main Sale Irrigation Channel.
  - Park shelters and other similar furniture;
  - Shared use paths;
  - Playgrounds at appropriate locations; and
  - Public art or other structures, including lighting.

**Infrastructure Services**
The development plan must ensure the provision of adequate infrastructure services and must provide details of how the development(s) will address:
- The provision of an integrated drainage scheme for the area; a Stormwater Management Plan must be provided to address the following matters:
  - How WSUD principles are applied in providing for appropriate drainage solutions;
  - Construction and maintenance requirements for water bodies and wetlands;
  - Stormwater management measures providing for storage/retardation, quality treatment, rate of discharge and any other matters considered relevant by the responsible authority and the relevant water authority; specifically the plan must ensure, among other things:
    - The rate of discharge is attenuated to ensure that the maximum capacity of drainage infrastructure is not exceeded; and
    - No more than 98 Megalitres/day (peak capacity) are discharged into the Lake Wellington 2/3 drain (LW2/3 drain) to prevent localised flooding downstream.
- How the development will comply with best practice environmental management of urban stormwater;
- How urban runoff into the Main Sale Irrigation Channel will be prevented; and
- Any other matters as required by the responsible authority and the relevant water authority;

- The application of WSUD principles in general;
- The pattern and location of the arterial road network(s) of the area;
- Details of any changes required to the existing network must be specified, including:
  - Road widening (if required);
  - Intersections;
  - Access points;
  - Pedestrian paths, crossings or safe refuges;
  - Cycle lanes; and/or
  - Any other pertinent matters.

- The pattern and location of any internal access system(s), which must be designed to ensure a safe and practical hierarchy of roads and pedestrian/cyclist connections and crossing points;
- Connectivity with the existing public transport network and ensure the provision of public transport stops within easy walking distance to residential dwellings and key business and commercial areas;
- All traffic management matters required to be addressed by the relevant road authority.

**Infrastructure Contributions**

The development plan must identify all relevant components of infrastructure to be provided, how these are to be funded, and when these are to be provided (in the context of the staging plan). In addition, the development plan must include details of developer(s)’ contributions towards the design and construction of:

- Intersections and other required road infrastructure;
- Drainage infrastructure (including infrastructure for retardation and quality treatment(s), as required);
- Infrastructure associated with public open space;
- Pedestrian and cycling infrastructure external to the site on the Western side of the Princes Highway; and
- Any other infrastructure components associated with the proposed development.

The arrangement (e.g., payments or works-in-lieu) of infrastructure contributions identified in the development plan will be agreed upon and given effect by an agreement entered into by the land owner(s) and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*.

If such an agreement already exists providing for the required infrastructure contributions, the Owner of the land is not required to enter into a new agreement.

The abovementioned agreement will lapse once all specified requirements of the agreement have been satisfied.

**Variation(s) to the Development Plan requirements**

Any of the abovementioned components of the development plan can be varied at the discretion of the responsible authority.
**Decision guidelines for development plan**

Before deciding on a development plan or an amendment to a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- The objectives of this schedule;
- SEPA principles of healthy urban design – refer to the Healthy by Design guidelines;
- Rescode (Clause 56);
- The character of the wider precinct, including views and points of interest along the central vehicular, pedestrian and cyclist spine;
- The long-term effect on the amenity of future and current sensitive land uses; and
- Any open space requirements outlined in Clause 52.01.
SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5.

INDUSTRIAL AREAS WITH COMPLEX INFRASTRUCTURE REQUIREMENTS

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly use and development of the area affected by the Development Plan Overlay.

2.0

Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority.

The plan must show:

Site Analysis

The site analysis must show the topography of the land, road access, the location of any existing vegetation, drainage lines, water features, retarding basins and flood ways, sites of biological, heritage or archaeological significance, sites that are potentially contaminated and any other relevant features.

Land use, Development and Subdivision

- How development of the site will respond to the policy requirements of clause 21.04- Settlement and 21.17 – Economic Development and related adopted structure or strategy plans.

- The proposed overall subdivision layout which:
  - Is responsive to the features indentified in the site analysis.
  - Has regard to the types of uses which are proposed or likely to be developed.
  - Has regard to the purpose of the Industrial Zone and adjoining zones, essential services, community facilities and roads.
  - Provides a range of lot sizes to cater for a variety of use and achieve building floor spaces that are adequate to meet local industry needs.
  - Contains basic urban design guidelines for the development including streetscape, building design (setbacks, height and materials), vehicle access, car parking, loading and storage areas, and pedestrian movements.
  - Contains details of required buffer treatment where measures are necessary to protect the amenity and surrounding properties and the safety of the public.

Infrastructure Services

- Details of all infrastructure to be provided to the land including; water, sewerage, drainage, electricity and gas scheme.

- A Drainage Plan, to the satisfaction of the Responsible Authority and relevant Catchment Management Authority, which:
  - Provides an integrated drainage scheme for the area that incorporates Water Sensitive Urban Design principles and Best Practice Environmental Management Guidelines for improved sustainability and flood mitigation.
- Ensures that erosion and siltation control during construction and after construction is managed in accordance with the measures outlined in the Environmental Protection Authority’s relevant publications.
- Shows waterways, proposed retarding basins and floodways and the means by which these will be managed and the water quality maintained.
- Provides for landscaping within any drainage depressions that integrate with the site.

- A Traffic Plan which:
  - Provides a convenient, sealed and safe road network design that:
    - minimises access points onto designated Category 1 and 2 roads.
    - is based on a safe and practical hierarchy of roads including safe intersections and pedestrian and bicycle connections.
    - uses existing roads or road reserves when available.
    - conforms with the Infrastructural Design Manual, relevant Austroads publications and Australian standards.
    - supports buildings which front onto the road.
    - supports the use and operation of public transport (where appropriate).
  - Identifies and responds to the need for upgrades to intersections on Category 1 and 2 roads to the satisfaction of the relevant road authorities where the access to the development is:
    - obtained directly from the Category 1 or 2 road; or
    - obtained from a road other than Category 1 or 2 within close proximity to a Category 1 and 2 road that is considered as a main access link to the development.
  - Provides details on any required upgrades to the road network being road widening, sealing, intersections, access points and other upgrades.
  - Provides details of timing and developer provision of required infrastructure upgrades.

### Decision guidelines for development plan

Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- Structure plans, policy, strategy or guidelines adopted by the Responsible Authority that relate to the subject land.
- SEPA principles of healthy urban design – refer to the Healthy by Design Guidelines.
- The long-term affect on the amenity of future and current sensitive land uses.
SCHEDULE 6 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO6

69 ANDREWS ROAD, LONGFORD

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly development of the general area affected by the Development Plan Overlay.

2.0

Conditions and requirements for permits

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities and roads.

- The potential for future re-subdivision.

- The relationship of proposed and existing nearby developments, to reduce the chance of conflicting developments.

- The need to minimise access points to designated category 1 roads.

- The design of any proposed buildings to enhance and reinforce the character of the area.

- The timing of the development of the land.

- The consistency of the proposed development with the approved development plan.

3.0

Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority. There must be only one Development Plan for the whole development plan area to which this schedule applies.

The plan must show:

Land use and Subdivision

- The proposed boundaries of the development plan area and provide justification for those boundaries.

- The overall subdivision of the area, including the proposed lot layout sizes and density of lots which provide an average lot size of 0.6 hectares.

- The layout of all allotments within the development plan area. The subdivision layout must ensure that allotments with a boundary adjoining the Andrews Road road reserve or the Cobb Road road reserve do not adjoin any other road reserves, unless the allotment is on a corner.

- The overall pattern of development within the immediate surrounding area, including any proposed future zoning shown on relevant strategy plan within the Local Planning Policy Framework.

- The proposed use and development of each part of the area.

- Street networks that provide direct, safe and convenient pedestrian and cycle access.

- An accessible and integrated network of walking and cycling routes for safe and convenient travel to other adjoining communities (including existing and future areas included within the DPO), local destinations, open spaces and points of interest.
Infrastructure Services
- The provision of an integrated drainage scheme for the development plan area.
- There must be two access points serving the development, one taken directly from Cobb Road and one taken directly from Andrews Road.
- The development must be serviced with sealed roads to the satisfaction of the Responsible Authority, including construction of Cobb Road for 350 metres north from the intersection with Andrews Road, and construction of the unsealed portion of Andrews Road between Highfield Drive and the intersection of Cobb Road.
- The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points.

Open Space Network and General Amenity
- The degree of natural surveillance that is created by proposed or existing development to provide a sense of safety and security as well as integration with the surrounding neighbourhood.
- An overall scheme for landscape planting and the preservation of stands of exiting indigenous vegetation and individual trees wherever possible.

Process and Outcomes
The Development Plan should be prepared with an appropriate level of community participation as determined by the Responsible Authority.

An implementation plan must be submitted as part of the development plan, indicating the proposed staging of the development.

The approved Development Plan may be amended to the satisfaction of the Responsible Authority.

Variation(s) to the Development Plan requirements
Any of the abovementioned components of the Development Plan can be varied at the discretion of the Responsible Authority.

Decision guidelines for development plan
Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:
- Supportive Environments Physical Activity (SEPA) principles of healthy urban design – refer to the Healthy by Design guidelines.
- Any open space requirements outlined in Clause 52.01.
- Wellington Shire Walking and Cycling Strategic Plan 2012-16
SALE GREYHOUND RACING FACILITY

1.0 Requirement before a permit is granted
A permit may be granted before a Development Plan has been prepared to the satisfaction of the responsible authority for the following:

- Building or works associated with the existing use of the land for agriculture.
- An extension, addition or modification to an existing building.
- Re-subdivision of the land in accordance with Wellington Planning Scheme permit number P382/2012.

2.0 Conditions and requirements for permits
A permit must not prejudice the intended outcomes of the Development principles and Concept plan or any likely outcome of the Development Plan.

3.0 Requirements for Development Plan
A Development Plan must be prepared to the satisfaction of the responsible authority. There must be only one Development Plan for the whole of the land to which this Schedule applies.

Development principles
The Development Plan must be in general accordance with the following Development principles and Concept plan.

- Development of the Sale Greyhound Racing complex must occur in the designated areas as shown on the Concept plan.
  - The design of the hospitality venue and grandstand building(s) must present active frontages to the parking area, Maffra Sale Road and the Race course. The main entrance must be located towards the parking area and Maffra Sale Road.
  - The additional facilities area must only be used to accommodate and enhance the entertainment, leisure and recreation potential of the site as set out in the Special Use Zone 6.

- The design and appearance of the building(s) must create a strong presence to the Maffra Sale Road.

- The site must be fully integrated with the surrounding existing and proposed future residential areas by means of:
  - A landscape buffer, which provides visual screening and minimises amenity impacts. The landscape buffer must have a minimum width of 30 metres unless it can be demonstrated that a reduced buffer width will achieve an appropriate outcome.
  - Appropriate setbacks for all greyhound facilities, including kennels and race track, in accordance with the Greyhound Facilities Code of Practice.
  - A drainage reserve, which will also provide an opportunity for public open space.

- The landscape buffer area and drainage reserve must provide for publicly accessible connections between development in north Sale and the Sale CBD e.g. walking tracks and shared paths as outlined in the walkable neighbourhood principles contained in the Sale, Wurruck and Longford Structure Plan (2010).
The site must be served by one public vehicular access, which must be located on the Maffra Sale Road in a location to the satisfaction of the relevant road authorities.

An alternative access point must also be provided for the sole use of emergency vehicles. The exact location of the access must be agreed with the relevant authorities.

Site analysis plan
The site analysis plan must be prepared to the satisfaction of the responsible authority. The plan must show:

- the topography of the land;
- the location of any existing vegetation;
- drainage lines, water features, retarding basins and flood ways;
- sites of biological, heritage or archaeological significance;
- sites that are potentially contaminated; and
Amenity impact response plan
An amenity impact response plan must be prepared to the satisfaction of the responsible authority and must comply with relevant State Environment Protection Policy and guidelines from the Environment Protection Authority. The plan must:

- Outline the impacts on surrounding areas including; noise levels, air-borne emissions, light spill or glare and traffic, based on:
  - traffic and carparking generated by the use;
  - the frequency and duration of any events and functions held on site;
  - transport of materials, goods or animals to or from the site;
  - race dog keeping and animal training on the site;
  - patron numbers;
  - hours of operation; and
- any other relevant features. Consider the requirements of the relevant State Environment Protection Policy and guidelines from the Environment Protection Authority including but not limited to:
  - Noise from Industry in Regional Victoria (NIRV),
  - State Environment Protection Policy; Control of Music Noise from Public Premises N-2 (SEPP N-2).

- Detail the required mitigation measures and any ongoing management processes necessary to protect the amenity of existing and potential future sensitive land uses.

Drainage plan
A drainage plan must be prepared to the satisfaction of the responsible authority and relevant Catchment Management Authority and must comply with the relevant Best Practice Environmental Management Guidelines. The plan must:

- provide an integrated drainage scheme for the site and reserve land to provide for the drainage catchment including the relevant potential future residential development in the North Sale Area to the west of the railway line;
- show waterways, proposed retarding basins and floodways and the means by which these will be managed and the water quality maintained;
- show how drainage from the site discharges to the Dawson Street drainage system or how the local drainage system can retain all storm water on site;
- show how discharge rates from the site do not exceed any predevelopment discharge rates;
- provide for landscaping within any drainage depressions within the site that incorporate Water Sensitive Urban Design principles;
- ensure that erosion and siltation control during and after construction is managed in accordance with the measures outlined in the Environmental Protection Authority’s relevant publications; and
- any other matters as required by the responsible authority and the relevant water authority.
Traffic plan
A traffic plan must be prepared to the satisfaction of the responsible authority and relevant road authority and must comply with the Municipal Infrastructural Design Manual, relevant Austroads publications and Australian standards. The traffic plan must:

- determine the location of the public vehicular access which must be located on the Maffra Sale Road;
- show a safe and practical road hierarchy including safe intersections and pedestrian and bicycle connections between the site, surrounding existing and proposed future residential areas and Sale CBD;
- support the use and operation of public transport (where appropriate);
- show the carparking provisions including the location and design of car parking areas for all proposed uses; and
- provide details of any upgrades to the road network including road widening, sealing, intersections, access points and any other necessary upgrades as determined by the relevant road authorities.

Masterplan
The masterplan must respond to the issues identified in the site analysis, amenity impact response plan, drainage plan and traffic plan into a single plan. The plan must show how development:

- responds to the Development principles and Concept plan, the policy requirements of the Wellington Planning Scheme and related adopted structure or strategy plans;
- has regard to the types of uses which are likely to be developed;
- has regard to the purpose of the zone and adjoining existing and proposed future zones, essential services, community facilities and roads;
- ensures compatibility between the site and adjoining existing and potential future land uses through appropriate interface landscape treatments;
- will complement and not detract from the use and amenity of any adjoining or adjacent existing and potential future land uses; and
- will be provided with the necessary infrastructure including; water, sewerage, drainage, electricity, gas and telecommunications.

The masterplan must contain:

- urban design guidelines for the development including streetscape, building design (setbacks, height and materials), vehicle access, car parking, loading and storage areas, pedestrian and cycling movements, fencing and advertising signage;
- an overall landscape scheme detailing the proposed landscape planting (a significant portion of planting should be native species), the preservation and protection of any existing native vegetation, together with areas for regeneration and measures for weed management; and
- details of required mitigation measures and ongoing management processes to protect the amenity of surrounding properties.

Infrastructure Contributions
The Development Plan must identify all relevant components of infrastructure to be provided, how these are to be funded, and when these are to be provided. In addition, the Development Plan must include details of developer(s)’ contributions towards the design and construction of works outside the site, including:

- intersections and other required road infrastructure;
• drainage infrastructure (including infrastructure for retardation and quality treatment(s), as required);
• pedestrian and cycling infrastructure linkages external to the site; and
• any other infrastructure components associated with the proposed development.

The arrangement (e.g. payments or works-in-lieu) of infrastructure contributions identified in the Development Plan will be agreed upon and given effect by an agreement entered into by the land owner(s) and the responsible authority under Section 173 of the Planning and Environment Act 1987.

If such an agreement already exists providing for the required infrastructure contributions, the owner of the land is not required to enter into a new agreement.

The above-mentioned agreement will lapse once all specified requirements of the agreement have been satisfied.

**Process and Outcomes**

The Development Plan should be prepared with an appropriate level of community participation as determined by the responsible authority.

### Decision guidelines for Development Plan

Before deciding on a Development Plan, the responsible authority must consider:

• Whether the development of the Sale Greyhound Racing complex is in general accordance with enclosed Development principles and Concept plan and any other plans required by the Development Plan Overlay 7.
• Whether the purpose and use are in accordance with the requirements set out in the Special Use Zone 6.
• The long-term affect on the amenity of current and proposed future sensitive land uses.
• Structure plans, policy, strategy or guidelines adopted by the responsible authority that relate to the subject land.
• Relevant State Environment Protection Policy and guidelines from the Environment Protection Authority including but not limited to:
  - Noise from industry in regional Victoria (NIRV),
  - State Environment Protection Policy; Control of Music Noise from Public Premises N-2 (SEPP N-2).
• The Greyhound Facilities Code of Practice.
• Supportive Environments for Physical Activity (SEPA) principles of healthy urban design – refer to the Healthy by Design Guidelines.
• The requirements of any external authority.
SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8.

RURAL LIVING AREA BOUND BY WILLIAMS ROAD, WILLUNG ROAD, HOOPERS ROAD AND FRIENDS ROAD, ROSEDALE

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- Building or works associated with the existing use of the land for agriculture.
- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly development of the general area affected by the Development Plan Overlay.

A permit must not prejudice the intended outcomes of any likely outcome of the development plan.

2.0 Conditions and requirements for permits

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities and roads.
- The potential for future re-subdivision.
- The relationship of proposed and existing nearby uses and developments, to reduce the chance of conflicting developments.
- The need to minimise access points to designated Category 2 roads.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing of the development of the land.
- The consistency of the proposed development with the approved development plan.

3.0 Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority.

There must be only one development plan for the whole development plan area to which this schedule applies.

Site Analysis

The site analysis plan must be prepared to the satisfaction of the responsible authority. The plan must show:

- the topography of the land;
- the location of any existing vegetation;
- drainage lines, water features, retarding basins and flood ways;
- sites of biological, heritage or archaeological significance;
- sites that are potentially contaminated;
- areas affected by easements; and
- any other relevant features.
Land use and subdivision

The plan must show:

- The proposed subdivision lot layout which:
  - responds to the issues identified in the site analysis.
  - must ensure that allotments along Williams Road, Willung Road, Hoopers Road or Friends Road do not adjoin any other road reserves unless the allotment is on a corner.
  - supports buildings which front onto the road.

- The overall pattern of development and how it integrates with the immediate surrounding area.
- The proposed use and development of each part of the development plan area.

Infrastructure services

A Drainage Plan, to the satisfaction of the responsible authority and relevant Catchment Management Authority, which:

- Provides an integrated drainage scheme for the area that incorporates Water Sensitive Urban Design principles and Best Practice Environmental Management Guidelines for improved sustainability and flood mitigation.

- Shows waterways, proposed retarding basins and floodways and the means by which these will be managed and the water quality maintained.

- Provides for landscaping within any drainage depressions that integrate with the site.

A Traffic Plan which:

- Provides a convenient, sealed and safe road network design that:
  - minimises access points onto designated Category 2 roads.
  - is based on a safe and practical hierarchy of roads including safe intersections and pedestrian and bicycle connections to adjoining communities (including existing and future areas included within the DPO) and Rosedale.
  - uses existing roads or road reserves when available. The development must be serviced with sealed roads to the satisfaction of the responsible authority, including construction of Williams Road and Hoopers Road in so far as they adjoin the Development Plan Overlay area.
  - conforms with the Infrastructural Design Manual, relevant Austroads publications and Australian Standards.

- Provides details on any required upgrades to the road network being road widening, sealing, intersections, access points and other upgrades.

- Provides details of timing and developer provision of required infrastructure upgrades.

Open space network and general amenity

The plan must show:

- The degree of natural surveillance that is created by proposed or existing development to provide a sense of safety and security as well as integration with the surrounding neighbourhood.

- An overall scheme for landscape planting and the preservation of stands of existing indigenous vegetation and individual trees wherever possible.

Process and outcomes

The plan should be developed with an appropriate level of community participation as determined by the responsible authority.
A management plan must be submitted as part of the development plan, indicating the proposed staging of the development.

The approved development plan may be amended to the satisfaction of the responsible authority.

Variation(s) to the development plan requirements

Any of the abovementioned components of the development plan can be varied at the discretion of the responsible authority.

Decision guidelines for development plan

Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- Whether the proposal is in accordance with the requirements for development in rural areas as outlined in Clause 21.10 – Rosedale Strategic Framework.
- Supportive Environments for Physical Activity (SEPA) principles of healthy urban design – refer to the Healthy by Design Guidelines.
- Development requirements as set out in the Infrastructure Design Manual (IDM).
- Any open space requirements outlined in Clause 52.01 and the Wellington Open Space Strategy.
- The long-term affect on the amenity of current and proposed future land uses.
- Structure plans, policy, strategy or guidelines adopted by the responsible authority that relate to the subject land.
- The requirements of any external authority.
SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

SALE WESTERN GROWTH AREA - WURRUK

1.0 Requirement before a permit is granted

A permit may be granted to construct or carry out minor works to an existing building prior to the approval of a development plan if the responsible authority is satisfied that the granting of a permit does not prejudice the intended outcomes of the development plan.

A permit for subdivision must be considered against the staging plan identified in the approved development plan.

2.0 Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

- A permit application for subdivision must include:
  - A subdivision plan.
  - A Stormwater Management Plan.

- Any permit for subdivision and development must include conditions reflecting guidelines, requirements and conditions as stated in the approved development plan.

- Any permit regarding land containing a native tree where retention is required or deemed achievable, must contain a condition giving effect to tree protection (including canopy and root system) during subdivision construction. The existing agreement under Section 173 of the Planning and Environment Act 1987 for specific trees within the development plan area will lapse once the tree protection strategy is fully implemented.

- Any permit regarding land where at least 25 per cent of the perennial understory is made up of native grasses must contain a condition requiring an approved Offset Management Strategy prior to Statement of Compliance.

- Any permit regarding land where onsite waste water management systems are used must show the building and effluent disposal envelopes on the subdivision plan.

- Any permit regarding land containing a designated waterway must contain a condition requiring a Water Management Plan.

- Any permit regarding land containing or abutting a place of cultural heritage significance (including Kilmany Park Estate) must contain a condition which gives effect to any recommendations for the protection, enhancement and interpretation of the place as referred to in the approved development plan.

- Any permit regarding land containing the two existing oak trees at the existing Settlement Road entrance to the Kilmany Park Estate must include an agreement under Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority to protect the oak trees for the duration of their practical lifespan.

- Any permit for subdivision must include an agreement under Section 173 of the Planning and Environment Act 1987 between the landowners and the responsible authority to acknowledge the arrangements (e.g. payments or works-in-lieu) of infrastructure contributions identified in the development plan. If such an agreement already exists providing for the required infrastructure contributions, the landowner(s) are not required to enter into a new agreement. The agreement will lapse once all specified requirements of the agreement have been satisfied.
Requirements for development plan

A development plan must include the following requirements.

There must be a single development plan for the whole development plan area to which this schedule applies.

Concept plan and design principles

The development plan must be generally in accordance with the concept plan shown in Map 1 below and address the following design principles:

- A distinctive neighbourhood with a strong sense of place through:
  - Utilising the natural topography of the area to create rural views and vistas from key public areas and roads to its surroundings.
  - Enhancing and protecting heritage features such as Kilmany Park Estate, significant Aboriginal sites and other objects of cultural or historical significance.
  - Retaining significant native vegetation, particularly scattered trees.

- A connected and integrated movement network by providing:
  - A permeable, sealed and safe road network based on a practical road hierarchy, directly connected with abutting residential areas. Cul-de-sacs are to be used sparingly.
  - Continuous and direct routes for pedestrians and cyclists between proposed and established residential areas and the neighbourhood activity centre, public open space, Wurruk Primary School, Sale CBD, public transport and other key public areas.
  - Opportunities for the provision of public transport services within the area in particular to service the Neighbourhood Activity Centre.

- A centrally located and accessible community area for use of the whole Wurruk community, capable of containing:
  - A district open space not less than five hectares with at least a regional playground; Open Age Premier/regional cricket oval; cricket training facilities; fit for purpose building including change rooms; shelter with barbeque and public toilets.
  - A neighbourhood activity centre with total building footprint of not less than 1,500 square metres for commercial and community uses such as child care centre, convenience store and take-away.
  - Opportunities to facilitate formal and informal community gathering and social interaction.

- An attractive and safe neighbourhood through:
  - Distinctive neighbourhood entrances from the Princes Highway and Settlement Road.
  - A prominent highway frontage that provides an attractive entrance into Sale.
  - Appropriate interfaces with Kilmany Park Estate, existing low density residential areas and the neighbourhood activity centre.
  - Lots fronting to major roads, shared paths, waterways, flood plains, public open space and reserves.
  - Natural surveillance to create a sense of safety and security.

Specialist reports required to inform development plan

The development plan must be accompanied by and incorporate recommendations of the following specialist reports, and others as requested by the responsible authority:
A Transport Impact Assessment Report (TIAR) which as a minimum must address traffic and access issues arising from the proposed development, predicted traffic generation and the impact of the development on the existing arterial road network in all relevant peak periods, in particular its impact on the following intersections with Princes Highway; Reid Drive, Hunt Place, The Ridge and Settlement Road.

- A Pedestrian and Cyclist Movement Traffic Study including the proposed linkages with the established residential areas and the path network north of the Princes Highway.

- An updated South Wurruk Stormwater Plan 2016 including the impact of increased stormwater volume on downstream farming land and pumping costs, and a review of the proposed stormwater quality infrastructure to ensure the impacts of increased volume are addressed.

- A Native Vegetation Assessment including a Biodiversity Assessment Report.

- A Cultural Heritage Management Plan, if required.

The specialist reports must address the design principles and concept plan included in this schedule and any relevant background studies previously undertaken.

Development plan

The development plan must incorporate the road reserve west of Lot 6 PS702630.

The development plan must be informed and accompanied by a detailed design response based on an analysis of the natural, cultural and strategic context of the site and reflecting the recommendations of all specialist reports.

The development plan must contain:

- A description of the proposed neighbourhood vision and character enhancing the existing heritage, cultural and natural features.

- A site responsive and functional subdivision lay-out including the identification of:
  - Lots in a variety of sizes and densities.
  - All public open space and land to be used for drainage or conservation purposes.
  - The neighbourhood activity centre.
  - The road network, integrated with surrounding residential areas including:
    - (shared) path network for pedestrians and cyclists including arterial road crossings;
    - bus capable roads within the precinct; and
    - the direct accesses from the arterial network via existing intersections and a fourth leg of the Hunt Place roundabout. No other direct access points from the arterial road network are permitted
  - View corridors and heritage features.

- A landscape strategy with a consistent theme based on the proposed vision and character for the whole development including guidelines to support water sensitive urban design, details of street furniture; entrance statements from the Princes Highway and Settlement Road, and the native vegetation to be retained in public open space.

- A draft concept plan for the neighbourhood activity centre and district open space, including location of a sports oval, play space, general footprint of building(s), vehicle access points, location of parking; areas for delivery and waste disposal, integration with the pedestrian and bicycle path network, provision of bus services and interfaces with abutting development.

- Urban design guidelines for the whole development providing for high quality built form, heritage recognition, active frontages, sense of place and security, and all ability access.
- Urban design guidelines and concept plans for interfaces with the Princes Highway, established residential areas, the existing industrial area north of the Princes Highway, Kilmany Park Estate, Settlement Road and the flood plain at the southern boundary.

**Development plan implementation**

The development plan must be accompanied by:

- A Land Budget, including lot yield targets for each stage.
- A Staging Plan identifying the required interim and ultimate infrastructure requirements based on an indicative Servicing Plan showing all required utilities, services and infrastructure.
- A Developer Contributions Plan addressing anticipated timing and details of all required infrastructure associated with the development, including interim and ultimate infrastructure requirements.

**Assessment of the development plan or amendment to the development plan**

In assessing the development plan or an amendment to the development plan, the responsible authority must be satisfied that it:

- Achieves the design principles specified in this Clause.
- Is consistent with the Sale, Wurruck and Longford Structure Plan (2010), Scattered Tree Assessment (June 2014), Land Capability Assessment (March 2016) and any other specialist reports.
- Provides all essential services, community facilities, pedestrian and cycling links and roads.
- Is prepared to the satisfaction of the responsible and external authorities including EPA, CFA, VicRoads, Public Transport Victoria, Department of Economic Development, Jobs, Transport and Resources – Transport Group, West Gippsland Catchment Management Authority, Gippsland Water, Aboriginal Affairs Victoria, Department of Environment Land Water and Planning and relevant service authorities.
- Is developed with the appropriate level of community participation as determined by the responsible authority.
- Implements development requirements as set out in the:
  - Infrastructure Design Manual (IDM);
  - Guidelines for Transport Impact Assessment Reports for Major Use and Development Proposals;
  - VicRoads Tree Planting Policy; and
  - other requirements as determined by relevant authorities.
- Supports design and development principles as set out in:
  - Supportive Environments for Physical Activity (SEPA) principles of healthy urban design—refer to Healthy by Design guidelines;
  - Water Sensitive Urban Design (WSUD), including recycling infrastructure and use of treated water;
  - Crime Prevention Through Environmental Design (CPTED)
- Is in accordance with any relevant agreement prepared under Section 173 of the *Planning and Environment Act 1987*. 
SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10.

LONGFORD DEVELOPMENT PLAN AREA

1.0

Requirement before a permit is granted

A permit may be granted to construct or carry out minor works to existing buildings or works prior to the approval of a Precinct Plan if the responsible authority is satisfied that the granting of a permit does not prejudice the intended outcomes of the Longford Development Plan, November 2015.

2.0

Conditions and requirements for permits

A permit application for subdivision must provide:

- A site description and plans demonstrating how the proposed subdivision design will conserve and contribute to the overall character of the precinct and, more generally, Longford.

- A graphical and written assessment demonstrating compliance with the approved Precinct Plan.

A permit application for subdivision must demonstrate that the proposed subdivision will not prejudice other properties from subdividing efficiently, and that safe access can be achieved or maintained to the site and other properties within the precinct.

A permit application for subdivision within Precincts 2, 3, 4 and 6 must include a subdivision plan showing indicatively how lots can be re-subdivided if reticulated sewerage can be provided.

A permit application for subdivision which includes land with native vegetation must address the requirements of Clause 52.17 Native Vegetation.

A permit for subdivision and development must include conditions which reflect the urban design principles, guidelines, requirements and conditions stated in the Longford Development Plan, November 2015 and the approved Precinct Plan.

A permit for subdivision must include an agreement under section 173 of the Planning and Environment Act 1987 between the landowner(s) and the responsible authority to acknowledge the arrangements (e.g. payments or works-in-lieu) for infrastructure contributions identified in the Precinct Plan. If an agreement requiring infrastructure contributions already exists, the landowner(s) are not required to enter into a new agreement. The agreement will lapse once all specified requirements have been satisfied.

3.0

Requirements for development plan

To allow for staged development of the land within the precincts identified in Figure 1, the development plan will comprise a series of Precinct Plans, prepared to the satisfaction of the responsible authority.

There must be a single Precinct Plan prepared for each precinct identified in Figure 1, prior to the development of land included in that precinct.

Precinct Plans must address the design requirements as stated in the Longford Development Plan, November 2015, together with the following design principles:

- A site responsive design reflective of the Longford character of quiet meandering roads, rural living lifestyle and a green, leafy character.

- Enhanced connectivity for pedestrians and vehicles by:
  - Linking precincts.
  - Ensuring connectivity to key destination points (such as the Longford Primary School, town core and open space areas) is maintained.
- Developing concentric loops, which ultimately connect to the existing movement network to Sale.

- Further intensification of the town core area (Precincts 2, 3, 4 and part of 6), subject to availability of services (particularly reticulated sewer).

- Independent development of each precinct.

Precinct Plans must contain:

- A Drainage Assessment which has regard to stormwater and any potential environmental impact on the Ramsar wetland area.

- A Staging Plan showing the sequence of development and delivery of infrastructure (construction or upgrade).

- A Public Infrastructure Plan for delivery and funding of infrastructure items associated with the proposed development, including potential interim and ultimate infrastructure requirements.

- An Interface Treatment Plan to provide a suitable buffer between the golf course and proposed development (this requirement only applies to precincts sharing a boundary with the golf course).

In assessing or amending a Precinct Plan, the responsible authority must be satisfied that it is:

- Achieving the design principles specified in this clause and the *Longford Development Plan, November 2015*.

- Meeting any requirements of (as appropriate): Country Fire Authority; VicRoads; West Gippsland Catchment Management Authority; Gippsland Water; Aboriginal Victoria; Department of Environment, Land, Water and Planning; APA Group or other relevant service authorities.

- Developed with the appropriate level of stakeholder participation.

- In accordance with any relevant agreement prepared under section 173 of the *Planning and Environment Act 1987*.

- Implementing the requirements of the Infrastructure Design Manual (IDM).

- Supporting design and development principles as set out in:
  - Supportive Environments for Physical Activity (SEPA) principles of healthy urban design - refer to Healthy by Design guidelines;
  - Water Sensitive Urban Design (WSUD), including recycling infrastructure and use of treated water;
  - Crime Prevention Through Environmental Design (CPTED).
Figure 1: Longford Precinct Identification Plan

(Source: Longford Development Plan, November 2015)
SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO11.

LOW DENSITY RESIDENTIAL AREAS

1.0

Requirement before a permit is granted

A permit may be granted to construct or carry out minor works to existing buildings or works prior to the approval of a development plan if the responsible authority is satisfied that the granting of a permit does not prejudice the intended outcomes of future low density residential development.

2.0

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

- A permit for subdivision and development must include conditions which reflect the urban design principles, requirements and conditions as stated in the approved development plan.
- A permit for subdivision, which includes land with native vegetation must:
  - contain a condition demonstrating how any retained native vegetation will be protected.
  - must be in accordance with the requirements of Clause 52.17 Native Vegetation when clearing of native vegetation is unavoidable.
- A permit for subdivision regarding land containing a designated waterway must contain a condition requiring a Water Management Plan.
- A permit for subdivision must include an Agreement under Section 173 of the Planning and Environment Act 1987 between the landowners and the responsible authority to acknowledge the arrangements (e.g. payments or works-in-lieu) for infrastructure contributions identified in the Development Plan. If an Agreement requiring infrastructure contributions already exists, the landowner(s) are not required to enter into a new Agreement. The Agreement will lapse once all specified requirements have been satisfied.

3.0

Requirements for development plan

A development plan must include the following requirements:

- A single development plan must be prepared for each contiguous development area of land to which this schedule applies.
- A site analysis plan must be prepared and identify the topography of the land; the location of any existing vegetation; drainage lines, water features, retarding basins and flood ways; sites of biological, heritage or archaeological significance; sites that are potentially contaminated; areas affected by easements; and any other relevant features.
- A drainage plan must be prepared and show:
  - An integrated drainage scheme for the area that incorporates Water Sensitive Urban Design principles and Best Practice Environmental Management Guidelines for improved sustainability and flood mitigation.
  - Provisions for landscaping within any drainage depressions that integrate with the site.
- A traffic plan must be prepared and show:
  - A sealed road network design that minimises access points onto designated Category 1 or 2 roads; is based on a practical hierarchy of roads including safe intersections and pedestrian and bicycle infrastructure connecting with the existing movement network; and uses existing roads or road reserves when available.
- Details on any required upgrades to the road network being road widening, sealing, intersections, access points and other upgrades.

  A development plan must:
  - Respond to the issues and recommendations identified in the site analysis, the drainage plan and the traffic plan.
  - Demonstrate how the proposed subdivision design will conserve and contribute to the overall character of the area.
  - Ensure that allotments have only one boundary adjoining a road reserve unless the allotment is on a corner.
  - Demonstrate how the overall pattern of development integrates with the immediate surrounding area and how a degree of natural surveillance is created.
  - Provide an overall scheme for landscape planting and the preservation of existing indigenous vegetation and individual trees wherever possible, including avoiding and minimising impacts to roadside native vegetation from subdivision design.
  - Demonstrate how all necessary infrastructure and services will be provided.
  - Include a staging plan showing the timing and sequence of development and infrastructure delivery (construction or upgrade).
  - Include a public infrastructure plan for the delivery and funding of infrastructure items associated with the proposed development, including any potential interim and ultimate infrastructure requirements.

  In assessing or amending a development plan, the responsible authority must be satisfied that it is:
  - Achieving the objectives as set out in relevant structure plans, policy, strategy or guidelines relating to the development area.
  - Meeting the requirements of Clause 56 as specified in the zone.
  - Meeting any requirements of the Country Fire Authority; Department of Economic Development, Jobs, Transport and Resources- Transport Group; VicRoads; West Gippsland Catchment Management Authority; Gippsland Water; Aboriginal Victoria; Department of Environment, Land, Water and Planning and other relevant service authorities.
  - Developed with the appropriate level of stakeholder participation.
  - In accordance with any relevant Agreement prepared under Section 173 of the Planning and Environment Act 1987.
  - Implementing the requirements of the Infrastructure Design Manual (IDM), relevant Austroads publications, Australian Standards.
  - Supporting design and development principles as set out in Supportive Environments for Physical Activity (SEPA) principles of healthy urban design - refer to Healthy by Design guidelines; Water Sensitive Urban Design (WSUD), including recycling infrastructure and use of treated water; Best Practice Environmental Management Guidelines; and Crime Prevention Through Environmental Design (CPTED).
FLOODWAY OVERLAY

Shown on the planning scheme map as FO or RFO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and floodplain health.

Floodway objectives and statement of risk

A schedule to this overlay may contain:

- Floodway management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

**Application requirements**

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority, which must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
- An application must be accompanied by any information specified in a schedule to this overlay.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE FLOODWAY OVERLAY

Shown on the planning scheme map as FO.

1.0 Permit requirement

A permit is not required for the following:

Buildings

- A pergola, carport or in-ground swimming pool associated with an existing dwelling;
- A deck or verandah associated with an existing dwelling that does not impede the flow of floodwaters and has a floor area no greater than 20m²;
- A rainwater tank associated with an existing dwelling, provided that the footprint of all rainwater tanks associated with the dwelling does not exceed 20m²;
- An upper storey extension to an existing building within the existing building footprint, provided that the total number of bedrooms is not increased;
- A pump shed;
- An agricultural shed with open sides; and
- Open type fencing (excluding paling fencing, brick and concrete walls) and maintenance to existing fencing;
- Open sports ground with no grandstands or raised viewing areas, playgrounds, picnic shelters and barbeques;
- A mast, antenna, power pole, light pole, or telecommunication tower; and
- An outdoor advertising sign/structure, provided it does not alter flood flows or floodplain storage capacity.

Works

- Works ancillary to an existing building (including landscaping) that do not alter the surface profile by more than 150 mm;
- Works associated with roads, roadsides or any other access way (public or private) that do not alter the existing surface level;
- Works associated with roads, roadsides or any other access ways (public or private) carried out by a public authority that have received written consent from the floodplain management authority;
- Earthworks in accordance with a whole farm plan approved by the responsible authority and floodplain management authority;
- Works associated with vine or horticultural trellises or watering systems; and
- Routine and maintenance works that do not affect the height, length or location of a levee, embankment or road.

Buildings & Works

- Buildings and works undertaken by Gippsland Ports associated with jetties, boardwalks, landings, beach refurbishment, swing moorings, navigational aids, beacons and signs.
- Buildings and works associated with the construction of the South Gippsland Highway upgrade (Stage 3 – Cox’s Bridge) between May Street, Sale and the Thomson River Bridge (constructed as part of the South Gippsland Highway upgrade: Stage 1 – Swing Bridge Realignment), provided that the buildings and works are to the satisfaction of the floodplain management authority.
**LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as **LSIO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the *Water Act, 1989* where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

---

**Land subject to inundation objectives and statement of risk**

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

---

**Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

1.0 Permit requirement

A permit is not required to carry out the following:

Buildings

- A non-habitable building (other than industrial or commercial) with a floor area less than 20m²;
- An extension to a non-habitable building (other than industrial or commercial), provided that the total ground floor area of the extension is less than 20m²;
- An extension to an existing habitable building of less than 20m², provided that the proposed floor level is at least 300 mm above the 100 year ARI flood level;
- A single replacement dwelling, provided that the floor level is at least 300 mm above the 100 year ARI flood level;
- A pergola, carport or in-ground swimming pool associated with an existing dwelling;
- A deck or verandah associated with an existing dwelling that does not impede the flow of floodwaters and has a floor area no greater than 20m²;
- A rainwater tank associated with an existing dwelling, provided that the footprint of all rainwater tanks associated with the dwelling does not exceed 20m²;
- An upper storey extension to an existing building within the existing building footprint;
- Open type fencing (excluding paling and colourbond fencing, brick and concrete walls) and maintenance to existing fencing;
- Open sports ground with no grandstands or raised viewing areas, playgrounds, picnic shelters and barbeques;
- A pump shed;
- An agricultural shed with open sides;
- A mast, antenna, power pole, light pole, or telecommunication tower; and
- An outdoor advertising sign/structure, provided that it does not alter flood flows or floodplain storage capacity.

Works

- Works ancillary to an existing building, including landscaping and pathways that do not alter the existing surface profile by more than 150 mm;
- Works associated with roads, roadsides or any other access way (public or private) that do not alter the existing surface level by more than 150mm;
- Works associated with roads, roadsides or any other access ways (public or private) carried out by a public authority that have received written consent from the floodplain management authority;
- Earthworks in accordance with a whole farm plan approved by the responsible authority and floodplain management authority;
- Works associated with vine or horticultural trellises or watering systems; and
- Routine and maintenance works that do not affect the height, length or location of a levee, embankment or road.
Buildings & Works

- Buildings and works undertaken by Gippsland Ports associated with jetties, boardwalks, landings, beach refurbishment, swing moorings, navigational aids, beacons and signs.

- Buildings and works associated with the construction of the South Gippsland Highway upgrade (Stage 3 – Cox’s Bridge) between May Street, Sale and the Thomson River Bridge (constructed as part of the South Gippsland Highway upgrade: Stage 1 – Swing Bridge Realignment), provided that the buildings and works are to the satisfaction of the floodplain management authority.
SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

Flooding management objectives and statement of risk

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.

- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an upper storey extension to an existing building.

- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.

- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.

- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.

- To a replacement fence in the same location and of the same type and materials as the existing fence.

- To a pergola or an open deck area with unenclosed foundations.

- To a carport constructed over an existing carspace.

- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.

- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.

- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.

- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.

- To radio masts, light poles or signs on posts or attached to buildings.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works.</td>
<td>Clause 59.08</td>
</tr>
</tbody>
</table>

Subdivision
A permit is required to subdivide land.
**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Any of the following classes of subdivision:</td>
<td>Clause 59.08</td>
</tr>
<tr>
<td>- Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>- Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>- Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.
**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO**
**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.

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**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 44.06. 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 THE BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO1.

1.0
31/07/2014
VC109

Statement of the bushfire objectives to be achieved

To support the rebuilding of dwellings damaged or destroyed by a bushfire in January and February 2013 in a manner that maximises the bushfire protection that can be achieved having regard to relevant site constraints.

2.0
31/07/2014
VC109

Application

This schedule applies where all of the following are met:

- The application is for the construction of a building or the construction and carrying out of works associated with the rebuilding of a dwelling that was damaged or destroyed by a bushfire that occurred in January and February 2013.

- The application includes the substitute approved measures or applicable alternative measure set out in this schedule.

Clause 52.47 applies in all other circumstances.

3.0
31/07/2014
VC109

Application requirements

In addition to the application requirements in Clause 44.06-2 of this planning scheme, an application to construct a building or construct or carry out works associated with the rebuilding of a dwelling that was damaged or destroyed by a bushfire that occurred in January and February 2013 must be accompanied by:

- The application requirements set out in Clause 52.47 of this planning scheme.

- A site plan that shows:
  - The boundaries of the property.
  - The location of any damaged or destroyed dwelling.
  - The proposed location of the replacement dwelling
  - The existing and proposed access to the lot.
  - Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access.

- A report which considers whether the development:
  - Reduces the bushfire risk from that which existed in association with the previous use of the land.
  - Does not increase the likely intensity of use of the land.
  - Is sited no closer to the bushfire hazard than the previous building footprint.
  - Uses siting to enhance bushfire protection where reasonable siting options are available on land
  - Implements approved measures or relevant alternative measures in Clause 52.47 to the fullest reasonable extent having regard to any relevant site constraints, including lot size.


## Substitute approved measures

<table>
<thead>
<tr>
<th>Clause 52.47</th>
<th>Approved Measure</th>
<th>Substitute approved measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>52.47-2.1</td>
<td>AM2.1</td>
<td>The approved measure in Clause 52.47 applies unless the application demonstrates that the approved measures set out in this schedule have been implemented to the fullest reasonable extent.</td>
</tr>
<tr>
<td>52.47-2.1</td>
<td>AM2.2</td>
<td>None specified</td>
</tr>
<tr>
<td>52.47-2.1</td>
<td>AM2.3</td>
<td>None specified</td>
</tr>
<tr>
<td>52.47-2.2</td>
<td>AM3.1</td>
<td>The approved measure in Clause 52.47 applies unless it cannot be met due to the size of the lot in which case defendable space should be provided to the property boundary.</td>
</tr>
<tr>
<td>52.47-2.2</td>
<td>AM3.2</td>
<td>None specified</td>
</tr>
<tr>
<td>52.47-2.3</td>
<td>AM4.1</td>
<td>None specified.</td>
</tr>
<tr>
<td>52.47-2.3</td>
<td>AM4.2</td>
<td>None specified</td>
</tr>
<tr>
<td>52.47-2.4</td>
<td>AM5.1</td>
<td>None specified</td>
</tr>
<tr>
<td>52.47-2.4</td>
<td>AM5.2</td>
<td>None specified</td>
</tr>
<tr>
<td>52.47-2.4</td>
<td>AM5.3</td>
<td>None specified</td>
</tr>
<tr>
<td>52.47-2.4</td>
<td>AM5.4</td>
<td>None specified</td>
</tr>
</tbody>
</table>

## Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 44.06 and Clause 65, the responsible authority must consider, as appropriate:

- The extent to which development can reasonably achieve compliance with the relevant requirements of Clause 52.47 of this scheme.
- The extent to which the replacement dwelling can be located on the land to assist the minimisation of risk to life and property from bushfire.
SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO2.

LANGSBOROUGH, THE HONEYSUCKLES, GOLDEN BEACH, PARADISE BEACH, LOCH SPORT 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 52.47 applies in all other circumstances.

2.0

Permit requirement
None specified.

3.0

Application requirements
An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

4.0

Requirements to be met
The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-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 52.47 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 52.47, and
- Vehicle access must be provided in accordance with Clause 52.47.

If these requirements are not met, the requirements of Clause 52.47 apply.

5.0

Substitute approved measures for Clause 52.47
None specified.

6.0

Additional alternative measures for Clause 52.47
None specified.
Mandatory Condition
An application must include the mandatory conditions as specified in Clause 44.06-4.

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.

Notice and review
None specified.

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 3 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO3.

BRIAGOLONG, GLENMAGGIE, PORT ALBERT, COONGULLA BAL-12.5 AREAS

1.0

Statement of the bushfire management objectives to be achieved

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

Application

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 52.47 applies in all other circumstances.

2.0

Permit requirement

None specified.

3.0

Application requirements

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

4.0

Requirements to be met

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 52.47 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 52.47, and
- Vehicle access must be provided in accordance with Clause 52.47.

If these requirements are not met, the requirements of Clause 52.47 apply.

5.0

Substitute approved measures for Clause 52.47

None specified.

6.0

Additional alternative measures for Clause 52.47

None specified.

7.0

Mandatory Condition

An application must include the mandatory conditions as specified in Clause 44.06-4.
8.0 03/10/2017  
GC13

Referral of application not required

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

9.0 03/10/2017  
GC13

Notice and review

None specified.

10.0 03/10/2017  
GC13

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.
STATE RESOURCE OVERLAY

Shown on the planning scheme map as SRO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas of mineral, stone and other resources, which have been identified as being of State significance, from development that would prejudice the current or future productive use of the resource.

Statement of resource significance

A schedule to this overlay must contain a statement of the significance of the resource in the area affected by the schedule.

Management objective

A schedule to this overlay must contain a statement of the management objective to be achieved for the area affected by the schedule.

Application requirements

An application under the zone to construct a building or construct or carry out works or subdivide land specified in a schedule to this overlay must be accompanied by a report which explains how the building, works or subdivision:

- Is consistent with the management objective specified in the schedule.
- Responds to the decision guidelines.

Referral of applications

An application of a kind specified in a schedule to this overlay must be referred to the specified referral authority in accordance with Section 55 of the Act.

Decision guidelines

Before deciding on an application of a kind specified in a schedule to this overlay, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the future productive use of the resource to the State.
- When the resource is likely to be required for extraction.
- The desirability of preventing any long term major capital development or intensive subdivision and associated residential development on the land which may adversely impact on the future productive use of the resource.
- Any other matters specified in the schedule to this overlay.
SCHEDULE 1 TO THE STATE RESOURCE OVERLAY

Shown on the planning scheme map as SRO1.

GIPPSLAND BROWN COALFIELDS

1.0

Statement of resource significance

The Gippsland Coalfields provide a secure long term energy source for base load power generation in Victoria, as well as providing a unique opportunity for other related significant developments.

2.0

Management objective

In order to ensure the medium to long term extraction and use of the coal resource for power generation, building, works, and subdivision of land over the resource should be of a type that will not inhibit, by way of community significance or cost of removal, the eventual productive use of that resource.

3.0

Application requirements

The following applications for buildings, works, or subdivision must be accompanied by a report:

- To subdivide land which creates a lot with an area less than 20 hectares.
- To construct a building or construct or carry out works for:
  - Accommodation, if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25% to the floor area of an existing accommodation building.
  - Cemetery.
  - Education centre.
  - Exhibition centre.
  - Function centre.
  - Golf course.
  - Hospital.
  - Industry (other than rural industry).
  - Major sports and recreation facility.
  - Office with a floor area exceeding 2,000 square metres.
  - Shop with a floor area exceeding 2,000 square metres.

A fire management plan, to the satisfaction of the responsible authority, must be submitted with any application for building, works, or subdivision within 1000 metres of a Mining Licence.

4.0

Referral of applications

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land which creates a lot with an area less than 20 hectares.</td>
<td>The Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
</tr>
</tbody>
</table>
### Kind of application

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To develop land for:</td>
<td>The Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
</tr>
<tr>
<td>- Accommodation if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25% to the floor area of an existing accommodation building.</td>
<td></td>
</tr>
<tr>
<td>- Cemetery.</td>
<td></td>
</tr>
<tr>
<td>- Education centre.</td>
<td></td>
</tr>
<tr>
<td>- Exhibition centre.</td>
<td></td>
</tr>
<tr>
<td>- Function centre.</td>
<td></td>
</tr>
<tr>
<td>- Golf course.</td>
<td></td>
</tr>
<tr>
<td>- Hospital.</td>
<td></td>
</tr>
<tr>
<td>- Industry (other than rural industry).</td>
<td></td>
</tr>
<tr>
<td>- Major sports and recreation facility.</td>
<td></td>
</tr>
<tr>
<td>- Office with a floor area exceeding 2,000 square metres.</td>
<td></td>
</tr>
<tr>
<td>- Shop with a floor area exceeding 2,000 square metres.</td>
<td></td>
</tr>
<tr>
<td>- Timber plantation.</td>
<td></td>
</tr>
</tbody>
</table>

### Decision guidelines

Before deciding on an application of a kind specified in Clause 3.0 of this schedule, the responsible authority must consider, as appropriate:

- The need to ensure development of the land does not inhibit the eventual development or use of the coal resource.

- The need to exclude urban development, including low density residential development and rural living development, from the area to which this schedule applies.

- The impact of the building or works on nearby existing or proposed brown coal mining or electricity generation and on any nearby agricultural uses.
PUBLIC ACQUISITION OVERLAY

Shown on the planning scheme map as **PAO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land which is proposed to be acquired by a Minister, public authority or municipal council.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

**Permit required**

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works, including:
  - A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Referral of applications

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material or a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

Land not to be spoiled or wasted

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

Reservation for public purpose

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the Planning and Environment Act 1987, the Land Acquisition and Compensation Act 1986 or any other act.

Acquiring authority

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.
### SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

#### Public acquisition

<table>
<thead>
<tr>
<th>PS Map</th>
<th>Acquiring Authority</th>
<th>Purpose of Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>Roads Corporation</td>
<td>Road</td>
</tr>
<tr>
<td>PAO2</td>
<td>Wellington Shire Council</td>
<td>Road</td>
</tr>
<tr>
<td>PAO3</td>
<td>Wellington Shire Council</td>
<td>Park</td>
</tr>
<tr>
<td>PAO5</td>
<td>Wellington Shire Council</td>
<td>Car park/accessway</td>
</tr>
<tr>
<td>PAO8</td>
<td>Gippsland Water</td>
<td>Water storage basin</td>
</tr>
</tbody>
</table>
**AIRPORT ENVIRONS OVERLAY**

Shown on the planning scheme map as **AEO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are or will be subject to high levels of aircraft noise, including areas where the use of land for uses sensitive to aircraft noise will need to be restricted.

To ensure that land use and development are compatible with the operation of airports in accordance with the appropriate airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.

To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in new dwellings and other noise sensitive buildings.

To limit the number of people residing in the area or likely to be subject to significant levels of aircraft noise.

---

**Use of land**

Any requirement in a schedule to this overlay must be met.

**Construction of buildings**

Any new building must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

*Note: In Section 3 of Australian Standard AS 2021-2015, Table 3.3 refers to both building types and activities within those buildings. Each building type listed has its ordinary meaning and should not be interpreted as defined in this scheme.*

**Subdivision**

A permit is required to subdivide land.

An application to subdivide land must be referred to the airport owner 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 airport owner.

**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:

- Whether the proposal will result in an increase in the number of dwellings and people affected by aircraft noise.
- Whether the proposal is compatible with the present and future operation of the airport in accordance with the appropriate airport strategy or master plan.
- Whether the design of the building incorporates appropriate noise attenuation measures.
- The views of the airport owner.
1.0 Requirements

Despite the provisions of the zone land must not be used and a permit must not be granted to use the land for any of the following uses:

- Accommodation (other than Backpackers lodge, Dwelling, Dependent persons unit, Host farm and Residential hotel).
- Child care centre.
- Drive-in theatre.
- Education centre.
- Hospital.

A permit is required to use land for any of the following uses:

- Art and craft centre.
- Backpackers lodge.
- Dependent person’s unit provided no more than one is established on any lot.
- Display home.
- Dwelling provided no more than one is established on any lot.
- Host farm.
- Hotel.
- Office.
- Place of assembly (except Drive-in theatre).
- Research and development centre.
- Research centre.
- Residential hotel.
- Restricted recreation facility.
- Tavern.

No permit may be granted for a use that is prohibited under the zone.

An application to use land under this overlay must be referred to the airport owner 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 airport owner.
SCHEDULE 2 TO THE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as AEO2.

1.0 Requirements

An application to use land for the following uses must be referred to the airport owner 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 airport owner:

- Accommodation.
- Art and craft centre.
- Child care centre.
- Display home.
- Education centre.
- Hospital.
- Hotel.
- Office.
- Place of assembly.
- Research and development centre.
- Research centre.
- Restricted recreation facility.
- Tavern.
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 THE RESTRUCTURE OVERLAY

<table>
<thead>
<tr>
<th>PS Map reference</th>
<th>Land</th>
<th>Title of restructure plan</th>
</tr>
</thead>
</table>
| RO1              | Land at:  
- Pacific Square, Ninety Mile Beach.  
- Generally bounded by Fifth Avenue, Third Street, Fourth Avenue and Tenth Street, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R1, 15 June 2000. |
<p>| RO2              | Land to the south of Cooper Parade and west of the Boulevard, including land fronting Holmes Road and Stephenson Avenue, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R2, 15 June 2000. |
| RO3              | Land bounded by Moonrise Road, Shoreline Drive, Driftwood Avenue and Golden beach Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R3, 15 June 2000. |
| RO4              | Land bounded by Driftwood Avenue, Shoreline Drive and Marine Drive and including land fronting Calypso Court and Golden Beach Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R4, 15 June 2000. |
| RO5              | Land bounded by Shoreline Drive, Golden Beach Drive, Marine Drive, Flamingo Drive and Sea Glint Avenue, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R5, 15 June 2000. |
| RO6              | Land bounded by Shoreline Drive, Sea Glint Avenue, Flamingo Drive and Firefly Road, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R6, 15 June 2000. |
| RO7              | Land bounded by Firefly Road, Shoreline Drive and Winklers Way and including land fronting Flamingo Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R7, 15 June 2000. DRG No 3421019-00-001 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |
| RO8              | Land bounded by Winklers Way, Shoreline Drive and Midway Drive and including land fronting Flamingo Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R8, 15 June 2000. DRG No 3421019-00-002 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |
| RO9              | Land bounded by Midway Drive, Shoreline Drive, Caribbean Way and Flamingo Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R9, 15 June 2000. DRG No 3421019-00-003 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |
| RO10             | Land bounded by Caribbean Way, Shoreline Drive and Foreshore Drive and including land fronting Flamingo Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R10, 15 June 2000. DRG No 3421019-00-004 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |</p>
<table>
<thead>
<tr>
<th>PS Map reference</th>
<th>Land</th>
<th>Title of restructure plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>RO11</td>
<td>Land bounded by Foreshore Drive, Shoreline Drive and Puerto Rica Way and including land fronting Flamingo Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R11, DRG No 3421019-00-005 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>RO12</td>
<td>Land bounded by Puerto Rica Way, Shoreline Drive and Mirrabella Drive and fronting Flamingo Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R12, DRG No 3421019-00-006 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>RO13</td>
<td>Land bounded by Mirrabella Drive, Shoreline Drive, San Julian Way and Flamingo Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R13, DRG No 3421019-00-007 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>RO14</td>
<td>Land bounded by San Julian Way, Shoreline Drive, Santa Rosa Avenue and Flamingo Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R14, DRG No 3421019-00-008 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>RO15</td>
<td>Land bounded by Santa Rosa Avenue, Shoreline Drive, Santiago Drive and Flamingo Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R15, DRG No 3421019-00-009 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>RO16</td>
<td>Land bounded by Santiago Drive, Shoreline Drive and San Gemini Drive and including land fronting Flamingo Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R16, DRG No 3421019-00-010A as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>RO17</td>
<td>Land bounded by San Gemini Drive, Shoreline Drive and San Salvadore Drive and including land fronting Flamingo Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R17, DRG No 3421019-00-011 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>RO18</td>
<td>Land to the west of San Salvadore Drive, Ninety Mile Beach, and including land fronting: Shoreline Drive, Seascape Avenue and Toledo Drive east of Acrux Way; and Flamingo Drive.</td>
<td>Ninety Mile Beach Restructure Plan Stage R18, DRG No 3421019-00-012 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”.</td>
</tr>
<tr>
<td>PS Map reference</td>
<td>Land</td>
<td>Title of restructure plan</td>
</tr>
<tr>
<td>------------------</td>
<td>------</td>
<td>--------------------------</td>
</tr>
</tbody>
</table>
| RO19             | Land in Ninety Mile Beach generally:  
|                  | - north of Seascape Avenue,  
|                  | - west of Acrux Way,  
|                  | - fronting Shoreline Drive  
|                  | - east of Atlas Way; and  
<p>|                  | - fronting Glomar Drive and/or Valencia Way. | Ninety Mile Beach Restructure Plan Stage R19, DRG No 3421019-00-013A as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |
| RO20             | Land generally between and fronting Glomar Drive and Shoreline Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R20, DRG No 3421019-00-014A as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |
| RO21             | Land generally between and fronting Glomar Drive and Shoreline Drive and south of Eden Avenue and Taranto Avenue, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R21, DRG No 3421019-00-015A as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |
| RO22             | Land generally fronting and south of Shoreline Drive east of Vegas Way. Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R22, DRG No 3421019-00-016 as contained in the “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach Incorporated Document, March 2012”. |
| RO23             | Land fronting the north side of Shoreline Drive and Mandalay Drive, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R23, 15 June 2000. |
| RO24             | Land fronting the north side of Shoreline Drive east of McLachlan Street, Ninety Mile Beach. | Ninety Mile Beach Restructure Plan Stage R24, 15 June 2000. |</p>
<table>
<thead>
<tr>
<th>PS Map reference</th>
<th>Land</th>
<th>Title of restructure plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>RO33</td>
<td>Land generally between and fronting Foreshore Drive and Paloma Drive, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R33, 15 June 2000.</td>
</tr>
<tr>
<td>RO34</td>
<td>Land at Firefly Road and including land bounded by, between and fronting Marine Drive on the north and Granada Grove on the south, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R34, 15 June 2000.</td>
</tr>
<tr>
<td>RO35</td>
<td>Land generally fronting Surf Edge Drive and including land in Club Court, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R35 &amp; R36, 15 June 2000.</td>
</tr>
<tr>
<td>RO36</td>
<td>Land fronting Lakeline Road, Ninety Mile Beach.</td>
<td>Ninety Mile Beach Restructure Plan Stage R35 &amp; R36, 15 June 2000.</td>
</tr>
<tr>
<td>RO38</td>
<td>Land to the east and west of Hollands Landing Road, Hollands Landing.</td>
<td>Hollands Landing Estate Restructure Plan Sheet 1 of 2 and Sheet 2 of 2, 15 June 2000.</td>
</tr>
</tbody>
</table>
PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.
PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA
SPECIFIC SITES AND EXCLUSIONS

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

Use or development

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

Expiry of a specific control

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>The lots, reserves and roads shown on the plans prepared by Basslink Pty Ltd</td>
<td>Basslink – Land Use and Development Controls, 2002</td>
</tr>
<tr>
<td>on 23 July, 2002 and numbered 0800014-000-461, 0800014-000-462, 0800014-000-463,</td>
<td></td>
</tr>
<tr>
<td>0800014-000-464, 0800014-000-465, 0800014-000-466, 0800014-000-467, 0800014-000-468,</td>
<td></td>
</tr>
<tr>
<td>and 0800014-000-469 Rev A.</td>
<td></td>
</tr>
<tr>
<td>The land required for the Princes Highway duplication, Traralgon East to Kilmany</td>
<td>Princes Highway Duplication, Traralgon East to Kilmany,</td>
</tr>
<tr>
<td>as identified in Clause 3 of the Incorporated Document.</td>
<td>Incorporated Document, November 2012</td>
</tr>
</tbody>
</table>
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

1.0  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>
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</tbody>
</table>

2.0  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>

3.0  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.
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 temporarily or in terms of intensity.

- **The impact of any logo box associated with the sign:**
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

- **The need for identification and the opportunities for adequate identification on the site or locality.**

- **The impact on road safety. A sign is a safety hazard if the sign:**
- Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.
- Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
**Mandatory conditions**

**All signs**

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

**Major promotion signs**

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

**Signs not requiring a permit**

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

A sign inside a building that cannot generally be seen outside.

A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:

- The display area to exceed 10 square metres if the sign concerns more than 20 lots.
- The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
- The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

---

### Category 1 - Commercial areas

Minimum limitation

**Purpose**

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
<tr>
<td>Sign</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah,</td>
</tr>
<tr>
<td></td>
<td>more than 3.7 m above pavement level.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian or</td>
</tr>
<tr>
<td></td>
<td>traffic lights.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

52.05-12

Category 2 - Office and industrial

Low limitation

Purpose
To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
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</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
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<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></td>
</tr>
<tr>
<td>Electronic sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>

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 ADVERTISING SIGNS

<table>
<thead>
<tr>
<th>Land</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
CAR PARKING

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Scope

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Provision of car parking spaces

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Permit requirement

A permit is required to:
- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.

- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.

- The gross floor area of the building is not increased.

- The reduction does not exceed 10 car parking spaces.

- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

**Exemption from notice and review**

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or

- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Number of car parking spaces required under Table 1**

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table. A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or

- a percentage of the total site area that must be set aside for car parking.
A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

### Table 1: Car parking requirement

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Art &amp; craft centre</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>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>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td>3.5</td>
<td>To each premises</td>
</tr>
<tr>
<td></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>2</td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each additional dwelling</td>
</tr>
<tr>
<td></td>
<td></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>1</td>
<td>3.5</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></td>
<td>3.5</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>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>3.5</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>3.5</td>
<td>To each patron permitted</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>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45º</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>Angle of car parking spaces to access way</td>
<td>Accessway width</td>
<td>Car space width</td>
<td>Car space length</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>-----------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

*Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.
**Design standard 3: Gradients**

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

**Table 3: Ramp gradients**

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

**Design standard 4: Mechanical parking**

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

**Design standard 5: Urban design**

Ground level car parking, garage doors and accessways must not visually dominate public space. Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

**Design standard 6: Safety**

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>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 costeasing 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.
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.
Exemption to create defendable space around buildings used for accommodation

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay or is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation where land is within the Bushfire Management Overlay and where the existing building was:
  - constructed before 10 September 2009 or lawfully erected before 18 November 2011 without the need for a planning permit; or
  - approved by a permit issued under this scheme before 10 September 2009 and erected before 18 November 2011; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009 and erected before 18 November 2011; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

This does not apply to land covered by the Banyule, Bayside, Borongdara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay.

Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 August 2012).

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
### Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.

- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.

- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.

- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.

- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.

- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.

- Any sign displayed must be directly associated with bushfire recovery.

- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

### Land in a Heritage Overlay

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

### Land in a Land Management Overlay

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

### Land in an Environmental Audit Overlay

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

### Cessation of use

A use must not continue after 30 September 2019 unless in accordance with the requirements of this scheme.

A building must not be used after 30 September 2019 unless in accordance with the requirements of this scheme.

### Decision guidelines

Before deciding on an application to allow the retention or continuing use of a building, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose

To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,

that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.

- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

- Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:
  - The boundaries of the property.
  - The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.
  - The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.
  - The existing and proposed access to the lot.
  - Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.
- For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - The location and dimensions of vehicle access.
  - The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
  - The location of the waste water treatment system if waste water is to be retained and treated on site.

- The site plan must be submitted to the responsible authority by 30 September 2017.

**Commencement of development**

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

**Compliance with site plan**

- The development must comply with the approved site plan.

**Use and development conditions**

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.

- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.

- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.

- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.

- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.

- For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.
Land in an Erosion Management Overlay

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant floodplain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

Decision guidelines

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person’s unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
HELIPORT AND HELICOPTER LANDING SITE

Purpose
To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement
A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency services</strong></td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
</tr>
<tr>
<td><strong>Public land management</strong></td>
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<tr>
<td><strong>General</strong></td>
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</tr>
</tbody>
</table>

Application requirements
An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

**Decision guidelines**

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).

- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
NATIVE VEGETATION PRECINCT PLAN

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Application

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

Native vegetation precinct plans

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

Permit requirement

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.
Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Conservation work</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td></td>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td></td>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Native vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
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<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);

- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or

- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

*Note:* Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Mineral exploration and extraction</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
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<td></td>
<td>- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
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<tr>
<td></td>
<td><em>Note:</em> Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</td>
</tr>
<tr>
<td>Railways</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Requirement</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Regrowth                                        | Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| Road safety                                      | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| Stone exploration                               |  
  - Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
  The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
    - 1 hectare of native vegetation which does not include a tree.  
    - 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
    - 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeasing and bulk sampling activities. |
| Stone extraction                                | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary 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. |
| Surveying                                       | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary 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*). |
| Traditional owners                              | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or  
  - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017). |
| Utility installations                           | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:  
  - to maintain the safe and efficient function of a Minor utility installation; or  
  - by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
NATIVE VEGETATION

Purpose

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Permit requirement

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Property vegetation plans

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.
Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</td>
</tr>
<tr>
<td></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td></td>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td></td>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Dead native vegetation</td>
<td>Native vegetation that is dead.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>Emergency works</td>
<td>Native vegetation that is to be removed, destroyed, or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Existing buildings</th>
<th>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>- the operation or maintenance of a fence; or</td>
</tr>
<tr>
<td></td>
<td>- native vegetation located more than 10 metres measured from the outermost point of the building.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing buildings and works in the Farming Zone and Rural Activity Zone</td>
<td>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>- the use or maintenance of a Dwelling; or</td>
</tr>
<tr>
<td></td>
<td>- the operation or maintenance of a fence; or</td>
</tr>
<tr>
<td></td>
<td>- native vegetation located more than 10 metres measured from the outermost point of the building.</td>
</tr>
<tr>
<td>Fences</td>
<td>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:</td>
</tr>
<tr>
<td></td>
<td>- the operation or maintenance of an existing fence; or</td>
</tr>
<tr>
<td></td>
<td>- the construction of a boundary fence between properties in different ownership.</td>
</tr>
<tr>
<td></td>
<td>The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.</td>
</tr>
<tr>
<td>Fire protection</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities:</td>
</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 firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</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 native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</th>
</tr>
</thead>
</table>
| 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 pivot irrigation system, tennis court or horse ménage. |

| Personal use | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land.  
| | For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft.  
| | This exemption does not apply to:
| | • contiguous land in one ownership that has an area of less than 10 hectares; |
The requirement to obtain a permit does not apply to:

- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

### Pest animal burrows

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:

- in accordance with written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988; or
- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:
  - 1 hectare of native vegetation which does not include a tree; or
  - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

### Planted vegetation

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

### Railways

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

### Regrowth

Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:

- less than 10 years old; or
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or
- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), and is:
  - shown on that plan as being ‘certified regrowth’; and
  - on land that is to be used or maintained for cultivation or pasture during the term of that plan.

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Road safety</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td><strong>Site area</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares. This exemption does not apply to native vegetation on a roadside or rail reservation.</td>
</tr>
<tr>
<td><strong>Stock movements on roads</strong></td>
<td>Native vegetation that is to be removed, or destroyed by stock being moved along a road. This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.</td>
</tr>
</tbody>
</table>
| **Stone exploration**           | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of native vegetation which does not include a tree.  
  - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
This exemption does not apply to costeining and bulk sampling activities. |
| **Stone extraction**            | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act. |
| **Surveying**                   | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.                           |
| **Traditional owners**          | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resource agreement under Part 6 of the Traditional Owner Settlement Act 2010; or  
  - an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional Owner Settlement Amendment Act in 2016 (1 May 2017). |
| **Utility installations**       | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:  
  - to maintain the safe and efficient function a Minor utility installation; or  
  - 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). |
The requirement to obtain a permit does not apply to:

- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

<table>
<thead>
<tr>
<th>Vehicle access from public roads</th>
<th>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.</td>
</tr>
<tr>
<td></td>
<td>In this exemption, roadside and public road have the same meanings as in section 3 of the Road Management Act 2004.</td>
</tr>
<tr>
<td></td>
<td>Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weeds</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>1 hectare of native vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>
### SCHEDULE TO CLAUSE 52.17

#### 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>Land required for the construction of the deviation of the South Gippsland Highway at the Swing Bridge and associated ancillary works, as shown stippled on drawing number SP18813A dated 13-01-94 attached to this schedule</td>
<td>All native vegetation</td>
</tr>
<tr>
<td>Land associated with the construction of the Princes Highway duplication between Sale and Templeton Road, Kilmany as shown in the map of the Public Acquisition Overlay Schedule 1 or Road Zone Category 1</td>
<td>All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria’s Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment</td>
</tr>
<tr>
<td>Land associated with the construction of the South Gippsland Highway upgrade (Stage 3 – Cox’s Bridge) between May Street Sale and the Thompson River bridge (constructed as part of South Gippsland Highway upgrade: Stage 1 - Swing Bridge Realignment).</td>
<td>All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria’s Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment.</td>
</tr>
<tr>
<td>Land associated with the construction of the Hyland Highway overtaking lane between Lays Road and Campbells Road.</td>
<td>All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria’s Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment.</td>
</tr>
</tbody>
</table>

#### Scheduled weed

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of weed</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

#### Utility installation code of practice

| Name of code of practice | |
|--------------------------| |
| None specified | |
TELECOMMUNICATIONS FACILITY

Purpose

To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.

To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.

To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

Permit requirement

A permit is required to construct a building or construct or carry out works for a Telecommunications facility. This does not apply to buildings and works for:

- A low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997 (Cth).
- The inspection and maintenance of a Telecommunications facility as defined in the Telecommunications Act 1997 (Cth).
- A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act 1997 (Cth).
- A temporary defence facility.
- The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
- A Telecommunications facility that complies with the requirements of section 5 of A Code of Practice for Telecommunications Facilities in Victoria, July 2004.
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the Telecommunications Act 1997 (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the Telecommunications Act 1997 (Cth) pursuant to legislation applying to that body.

Land in public ownership

An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless:

- The Telecommunications facility is a radio communications dish greater than 1.2 metres in diameter; or
- The Telecommunications facility is a Telecommunications tower (other than a low-impact facility described in the Telecommunications (Low-impact Facilities) Determination 1997 (Cth)); or
- The land is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay; or

- The land is public land not in a public land zone and the responsible authority is not the public land manager.

An application under any provision of this scheme to use or develop land for a Telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the Telecommunications facility is funded, or partly funded, by:

- The Commonwealth through the Mobile Black Spot Program; or

- The State of Victoria.

### Application requirements

An application must be accompanied by the following information as appropriate to the proposal and the location:

- A site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.

- Site boundaries and dimensions.

- The purpose and location of all buildings and works required in the construction of the facility.

- The location of all existing buildings and works to be retained and demolished.

- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.

- The location and use of all buildings on adjoining properties.

- The location of all adjoining streets and access ways.

- Australian Height Datum levels.

- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.

- Proposals for the rehabilitation of the land on which development is to occur.

- Roads and parking areas.

- Materials, landscaping, external lighting, colour and reflectivity.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.

- The effect of the proposal on adjacent land.

- If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.
PRIVATE TENNIS COURT

Purpose
To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.
To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

Application
This clause applies to any private tennis court which is used in association with a dwelling.

Permit requirement
A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

Application requirements
Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.
Notice provisions

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

Decision guidelines

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.
COMMUNITY CARE ACCOMMODATION

Purpose
To facilitate the establishment of community care accommodation.
To support the confidentiality of community care accommodation.

Application
This clause applies to the use and development of land for community care accommodation.

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use ‘community care accommodation’ in the table of uses in the zone or schedule to the zone is met.
- The use is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not residents may access support services provided on the land.

Buildings and works exemption
Any requirement in the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- If the development is in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, standards B6, B17, B18, B19, B20, B21 and B22 of Clause 55 are met.

Exemption from notice and review
An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the application is made by or on behalf of a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
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

1.0
Permit not required

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

2.0
Permit may not be granted

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
GAMING

Purpose
To ensure that gaming machines are situated in appropriate locations and premises.
To ensure the social and economic impacts of the location of gaming machines are considered.
To prohibit gaming machines in specified shopping complexes and strip shopping centres.

Gaming objectives
A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

Permit requirement
A permit is required to install or use a gaming machine.
This does not apply in either of the following circumstances:
- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.
This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

Prohibition of a gaming machine in a strip shopping centre
Installation or use of a gaming machine is prohibited in a strip shopping centre if:
- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.
This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.
A strip shopping centre is an area that meets all of the following requirements:
- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;
but it does not include the Capital City Zone in the Melbourne Planning Scheme.

Locations for gaming machines
A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.
**Venues for gaming machines**

A schedule to this clause may specify guidelines relating to venues for gaming machines.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.
SCHEDULE TO CLAUSE 52.28 GAMING

1.0

Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gippsland Centre, Sale</td>
<td>37-79 Cunningham Street, Sale</td>
</tr>
</tbody>
</table>

2.0

Prohibition of a gaming machine in a strip shopping centre
A gaming machine as specified in Clause 52.28-4 is prohibited in all strip shopping centres on land covered by this planning scheme.
LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD

Purpose
To ensure appropriate access to identified roads.
To ensure appropriate subdivision of land adjacent to identified roads.

Application
This clause applies to land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit requirement
A permit is required to:

- Create or alter access to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

- Subdivide land adjacent to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit not required
A permit is not required to:

- Realign a boundary.

- Subdivide an existing building, provided the building is already connected to services and no new access is required.

- Subdivide land into two lots, provided no new access is required.

Referral of applications
An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the acquiring authority for the land, must be referred to the Roads Corporation under section 55 of the Act.

Any other application must be referred to the owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1, or the Public Acquisition Overlay.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
- Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.
[NO CONTENT]
WIND ENERGY FACILITY

Purpose
To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land
A permit is required to use and develop land for a Wind energy facility.
The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td></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.
- A concept plan of associated transmission infrastructure, electricity utility works 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*.
    - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - the impacts upon Aboriginal or non- Aboriginal cultural heritage.
- A statement of why the site is suitable for the wind energy facility.
- An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

**Mandatory noise assessment**

- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
- An environmental audit report of the pre-construction (predictive) noise assessment report prepared under Part IXD, Section 53V of the *Environment Protection Act 1970* by an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. The environmental audit report must verify that the acoustic assessment undertaken for the purpose
Mandatory condition

A permit to use or develop land for a wind energy facility must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.

- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the Environment Protection Act 1970 by an environmental auditor appointed under Part IXD of the Environment Protection Act 1970. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:


- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.

- The impact of the development on significant views, including visual corridors and sightlines.

- The impact of the facility on the natural environment and natural systems.

- The impact of the facility on cultural heritage.

- The impact of the facility on aircraft safety.


Anemometer

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

Application to amend a permit under section 72 of the Act

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or

- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0

Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land within five kilometres of a residential zone, an industrial zone, a business zone or a special purpose zone in the urban area of Sale.</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.
### Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>
BICYCLE FACILITIES

Purpose
To encourage cycling as a mode of transport.
To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Provision of bicycle facilities
A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Any relevant bicycle parking strategy or equivalent.

Required bicycle facilities
Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.
If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.
A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.
A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

### Table 1 to Clause 52.34-5 Bicycle spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre 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>

### 52.34-6

**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>GRZ1, LDRZ, TZ, MUZ, RLZ</td>
<td>5%</td>
</tr>
</tbody>
</table>
BUSHFIRE PLANNING

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Application

This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.

Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4 applies to all other applications.

Operation

The provisions of this clause contain:

- Objectives. An objective describes the outcome that must be achieved in a completed development.
- Approved measures (AM). An approved measure meets the objective.
- Alternative measures (AltM). An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

Dwellings in existing settlements – Bushfire protection objective

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 1.1</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 1.2</td>
<td>A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td></td>
<td>A building is constructed to the bushfire attack level:</td>
</tr>
<tr>
<td></td>
<td>- That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or</td>
</tr>
<tr>
<td></td>
<td>- The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply:</td>
</tr>
<tr>
<td></td>
<td>- A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.</td>
</tr>
<tr>
<td></td>
<td>- A minimum bushfire attack level of BAL12.5 is provided in all circumstances.</td>
</tr>
<tr>
<td>AM 1.3</td>
<td>A building is provided with:</td>
</tr>
<tr>
<td></td>
<td>- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</td>
</tr>
<tr>
<td></td>
<td>- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</td>
</tr>
</tbody>
</table>

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:
- The 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>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
<tr>
<td>AM 2.2</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 2.3</td>
<td>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</td>
</tr>
</tbody>
</table>

53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 3.1</td>
<td>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or</td>
</tr>
<tr>
<td></td>
<td>- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</td>
</tr>
<tr>
<td>AM 3.2</td>
<td>A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:</td>
</tr>
<tr>
<td></td>
<td>- Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.</td>
</tr>
<tr>
<td></td>
<td>- Constructed to a bushfire attack level of BAL12.5.</td>
</tr>
</tbody>
</table>

Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 3.3</td>
<td>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td>AltM 3.4</td>
<td>Defendable space and the bushfire attack level is determined using Method 2 of <em>AS3959:2009 Construction of buildings in bushfire prone areas</em> (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.

## 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><strong>AM 4.1</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:</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.</td>
</tr>
<tr>
<td></td>
<td>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><strong>AM 4.2</strong></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

- 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>
Measurement

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 landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
## Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

### Table 1  Defendable space and construction

<table>
<thead>
<tr>
<th>Slope: All upslopes and flat land (0 degrees)</th>
<th>Vegetation Type</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>Forest</td>
<td>&lt; 19</td>
<td>48</td>
</tr>
<tr>
<td>Woodland</td>
<td>&lt; 12</td>
<td>33</td>
</tr>
<tr>
<td>Scrub</td>
<td>&lt; 10</td>
<td>27</td>
</tr>
<tr>
<td>Shrubland</td>
<td>&lt; 7</td>
<td>19</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>&lt; 6</td>
<td>17</td>
</tr>
<tr>
<td>Rainforest</td>
<td>&lt; 8</td>
<td>23</td>
</tr>
<tr>
<td>Grassland</td>
<td>&lt; 6</td>
<td>19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slope: Downslope &gt;0 to 5 degrees</th>
<th>Vegetation Type</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>Forest</td>
<td>&lt; 24</td>
<td>57</td>
</tr>
<tr>
<td>Woodland</td>
<td>&lt; 15</td>
<td>41</td>
</tr>
<tr>
<td>Scrub</td>
<td>&lt; 11</td>
<td>31</td>
</tr>
<tr>
<td>Shrubland</td>
<td>&lt; 7</td>
<td>22</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>&lt; 7</td>
<td>20</td>
</tr>
<tr>
<td>Rainforest</td>
<td>&lt; 10</td>
<td>29</td>
</tr>
<tr>
<td>Grassland</td>
<td>&lt; 7</td>
<td>22</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slope: Downslope &gt;5 to 10 degrees</th>
<th>Vegetation Type</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>Forest</td>
<td>&lt; 31</td>
<td>69</td>
</tr>
<tr>
<td>Woodland</td>
<td>&lt; 20</td>
<td>50</td>
</tr>
<tr>
<td>Scrub</td>
<td>&lt; 12</td>
<td>35</td>
</tr>
<tr>
<td>Shrubland</td>
<td>&lt; 8</td>
<td>25</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>&lt; 7</td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td>&lt; 13</td>
<td>36</td>
</tr>
<tr>
<td>Grassland</td>
<td>&lt; 8</td>
<td>25</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slope: Downslope &gt;10 to 15 degrees</th>
<th>Vegetation Type</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>Forest</td>
<td>&lt; 39</td>
<td>82</td>
</tr>
<tr>
<td>Woodland</td>
<td>&lt; 25</td>
<td>60</td>
</tr>
<tr>
<td>Scrub</td>
<td>&lt; 14</td>
<td>39</td>
</tr>
<tr>
<td>Shrubland</td>
<td>&lt; 9</td>
<td>28</td>
</tr>
</tbody>
</table>
Defendable space distance from building facade (metres)

<table>
<thead>
<tr>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>26</td>
</tr>
<tr>
<td>Rainforest</td>
<td>45</td>
</tr>
<tr>
<td>Grassland</td>
<td>28</td>
</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td>Forest</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
</tr>
</tbody>
</table>

Table 2 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
</tr>
<tr>
<td>Slope</td>
<td>Vegetation</td>
<td>Defendable space distance from building facade (metres)</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td>Scrub</td>
<td>27</td>
<td>19</td>
</tr>
<tr>
<td>Shrubland</td>
<td>19</td>
<td>13</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>17</td>
<td>12</td>
</tr>
<tr>
<td>Rainforest</td>
<td>23</td>
<td>16</td>
</tr>
<tr>
<td>Grassland</td>
<td>19</td>
<td>13</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
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<td></td>
<td>Grassland</td>
<td>25</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
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</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>28</td>
</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td>Forest</td>
<td>98</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>73</td>
</tr>
</tbody>
</table>
Defendable space distance from building facade (metres)

<table>
<thead>
<tr>
<th>Vegetation</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scrub</td>
<td>43</td>
<td>31</td>
<td>21</td>
<td>15</td>
</tr>
<tr>
<td>Shrubland</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>29</td>
<td>20</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td>Rainforest</td>
<td>56</td>
<td>42</td>
<td>29</td>
<td>22</td>
</tr>
<tr>
<td>Grassland</td>
<td>32</td>
<td>23</td>
<td>15</td>
<td>11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td></td>
<td>&gt;0-5</td>
</tr>
<tr>
<td>Forest</td>
<td>60</td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
</tr>
</tbody>
</table>

Note 1:  
Slope and vegetation type is determined through the bushfire hazard site assessment.

Note 2:  
Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 3 Defendable space

Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.

All vegetation

Downslope >20 degrees

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

All slopes

Low threat vegetation

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.

All slopes

Modified vegetation

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.
<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td>Grassland</td>
<td>35</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*. 
CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Façade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
**FREEWAY SERVICE CENTRE**

**Purpose**
To ensure that freeway service centres are appropriately designed and located.
To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Roads Corporation.
To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.
To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.
To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

**Requirements to be met**

**Facilities and services**
A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

**Access to freeway service centres**
No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.
An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

**Metropolitan freeway service centre adjoining a residential zone**

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

LIVE MUSIC AND ENTERTAINMENT NOISE

Purpose
To recognise that live music is an important part of the State’s culture and economy.
To protect live music entertainment venues from the encroachment of noise sensitive residential uses.
To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.
To ensure that the primary responsibility for noise attenuation rests with the agent of change.

Application
This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:
- a live music entertainment venue.
- a noise sensitive residential use that is within 50 metres of a live music entertainment venue.
This clause does not apply to:
- the extension of an existing dwelling.
- a noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause.

Meaning of terms
In this clause:
- live music entertainment venue means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.
- noise sensitive residential use means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

Requirements to be met
A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.
A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:
- indoor live music entertainment venue to below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).
- outdoor live music entertainment venue to below 45dB(A), assessed as an L_{eq} over 15 minutes.
For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (Schedule B1 of SEPP N2 does not apply).
A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

**Application requirements**

An application must be accompanied by the following information, as appropriate:

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.

- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.

- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.

- Details of existing and proposed acoustic attenuation measures.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the extent to which the siting, layout, design and construction minimise the potential for noise impacts.

- whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.

- whether the proposal adversely affects any existing uses.
SCHEDULE TO CLAUSE 53.06 LIVE MUSIC AND ENTERTAINMENT NOISE

1.0
Areas to which Clause 53.06 does not apply

<table>
<thead>
<tr>
<th>Name of area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

2.0
Other venues to which Clause 53.06 applies

<table>
<thead>
<tr>
<th>Name of venue</th>
<th>Address</th>
<th>Condition or limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SHIPPING CONTAINER STORAGE

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

Decision guidelines

Before deciding on an application to use land for shipping container storage, or construct a building or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Road Zone.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.

- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.

- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.

- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.

- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.

- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.

- The adequacy of traffic measures to:
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.
CATTLE FEEDLOT

Purpose
To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met
All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.
POULTRY FARM

Purpose
To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Permit not required – Outdoor range area for existing broiler farm
Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

Requirement – Broiler farm
An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

Exemption from notice and review
The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.

- A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every two weeks.

- An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose

To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance

The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Metal Products</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>Chemical, Petroleum &amp; Coal Products</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>Note 2</td>
</tr>
</tbody>
</table>

**Non-metallic Mineral Products**

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bitumen batching plant:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>up to 5,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>between 5,000 &amp; 150,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>exceeding 150,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Concrete article or stone article production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Concrete batching plant:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Glass and glass production including glass wool:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Plaster or plaster articles production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rock wool manufacture:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td><strong>Other Premises</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panel beating:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td><strong>Paper &amp; Paper Products:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• from semi-processed materials</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>• from prepared cellulose &amp; rags</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>• by other methods than above</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Recreation, Personal &amp; Other Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td><strong>Recycling and Resource Recovery</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advanced resource recovery technology facility</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Commercial and Industrial materials recycling</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Composting and other organic materials recycling.</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Construction and demolition materials recycling</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Other resource recovery or recycling operations</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Refuse and used material storage, sorting and recovery in a transfer station:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Accepting organic wastes</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>• Other</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Sanitary and garbage disposal in landfill</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Used metals treatment or processing</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Used paper and cardboard treatment or processing</td>
<td>Use distances in Paper &amp; Paper Products</td>
<td></td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td>Note 1</td>
<td></td>
</tr>
</tbody>
</table>

**Textiles**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Threshold Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpet backing with latex:</td>
<td>300</td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles:</td>
<td>300</td>
</tr>
<tr>
<td>Production of artificial fibres &amp; textiles:</td>
<td></td>
</tr>
<tr>
<td>• cellulose nitrate or viscose fibre, cellophane or artificial rubber</td>
<td>1,000 Note 2</td>
</tr>
<tr>
<td>• other synthetic fibres and textiles</td>
<td>500 Note 2</td>
</tr>
<tr>
<td>Rope, cordage and twine production:</td>
<td>100</td>
</tr>
<tr>
<td>Treatment or production of textiles:</td>
<td></td>
</tr>
<tr>
<td>• using carbon disulphide</td>
<td>500 Note 2</td>
</tr>
<tr>
<td>• using other substances</td>
<td>Note 1</td>
</tr>
<tr>
<td>Wool scouring:</td>
<td>200</td>
</tr>
</tbody>
</table>

**Transport and Storage**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Threshold Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depot for refuse collection vehicles</td>
<td>100</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Grain elevators:</td>
<td>300</td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
</tr>
<tr>
<td>- with fixed roofs</td>
<td>300</td>
</tr>
<tr>
<td>- with floating roofs</td>
<td>100</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
</tr>
<tr>
<td>- Woodwaste</td>
<td>300</td>
</tr>
<tr>
<td>- Plastic or rubber waste</td>
<td>200</td>
</tr>
<tr>
<td>- Chemical, biomedical or organic waste</td>
<td></td>
</tr>
</tbody>
</table>

**Wood, Wood Products & Furniture**

<table>
<thead>
<tr>
<th>Charcoal production:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>- by the retort process</td>
<td>500</td>
</tr>
<tr>
<td>- other than by the retort process</td>
<td>1,000</td>
</tr>
</tbody>
</table>

| Joinery: | 100 |
| Sawmill: | 500 |
| Wood preservation plant: | 100 |
| Wood-fibre or wood-chip products: | 1,500 |
TIMBER PRODUCTION

53.11
31/07/2018
VC148

53.11-1
31/07/2018
VC148

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
31/07/2018
VC148

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
31/07/2018
VC148

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
31/07/2018
VC148

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.
## SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

### Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
**PIG FARM**

**Purpose**
To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

**Application**
This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

**Exemption from notice and review**
An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

**Table 1 Standard Pig Unit conversion factors**

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>
Decision guidelines

Before deciding on an application to use land or construct a building or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).
RESIDENTIAL AGED CARE FACILITY

Purpose
To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.
To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.
To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

Application
This clause applies to an application to construct a building or 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>


<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
<td></td>
</tr>
</tbody>
</table>

**Side and rear setbacks**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

**North-facing windows**

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
**Overshadowing open space**

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**Solar panel overshadowing**

Buildings should be sited and designed to ensure that the capacity of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced.

**Overlooking**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

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**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.

### Requirements

An application to subdivide land:
- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:
- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

### Stormwater management objectives for subdivision

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

### Standard W1

The stormwater management system should be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:
- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $da \cdot V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, $da =$ average depth in metres and $V_{ave} =$ average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

**Stormwater management objectives for buildings and works**

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

**Standard W2**

The stormwater management system should be designed to:

- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

**Site management objectives**

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
ONE DWELLING ON A LOT

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application

These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Design response

The design response must explain how the proposed design:
- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
**NEIGHBOURHOOD CHARACTER**

**Neighbourhood character objective**
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that the design responds to the features of the site and the surrounding area.

**Standard A1**
The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

**Integration with the street objective**
To integrate the layout of development with the street.

**Standard A2**
Dwellings should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>
| The site is on a corner. | If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.  
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. | 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. |

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 A4 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.
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 Panning 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.

**Parking location objectives**

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

**Standard B15**

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard B18**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

**Daylight to existing windows objective**

To allow adequate daylight into existing habitable room windows.
Standard B19
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard B20
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard B22**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram B4 Overlooking open space**

Decision guidelines

Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

**Internal views objective**

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:
- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:
- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

**Solar access to open space objective**

To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

**Diagram B5 Solar access to open space**

![Diagram B5 Solar access to open space](image)

**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 meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.
Standard B40

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B6 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table B6 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 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>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>A clear 850mm wide door opening. Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td></td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
</tr>
<tr>
<td></td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></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 and basin.</td>
</tr>
<tr>
<td></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</td>
</tr>
<tr>
<td></td>
<td>circulation area.</td>
</tr>
<tr>
<td></td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
</tr>
<tr>
<td></td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
</tr>
<tr>
<td></td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard 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 the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1
An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
Compact and walkable neighbourhoods objectives

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network

- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.

- Shows the layout of the subdivision in relation to the surrounding area.

- Is designed to be accessible for people with disabilities.

Activity centre objective

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:
- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:
- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:
- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the **Subdivision Act 1988**, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

### Solar orientation of lots objective

To provide good solar orientation of lots and solar access for future dwellings.

### Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

### Street orientation objective

To provide a lot layout that contributes to community social interaction, personal safety and property security.
**Standard C10**

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

**Common area objectives**

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

**Standard C11**

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
**URBAN LANDSCAPE**

**Integrated urban landscape objectives**

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

**Standard C12**

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

**Public open space provision objectives**

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
  - Additional small local parks or public squares in activity centres and higher density residential areas.
  - Active open space of 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.
  - Linearparks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.
ACCESS AND MOBILITY MANAGEMENT

Integrated mobility objectives
To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14
An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

Walking and cycling network objectives
To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15
The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

Public transport network objectives
To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.
To encourage maximum use of public transport.

**Standard C16**

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

**Neighbourhood street network objective**

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

**Standard C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation’s arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.
- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area’s character and identity.
- Take account of any identified significant features.

Walking and cycling network detail objectives

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Standard C18

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

**Public transport network detail objectives**

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

**Standard C19**

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:
- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.
- Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.
- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

**Neighbourhood street network detail objective**

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

**Standard C20**

The design of streets and roads should:
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:
- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.
- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
Lot access objective
To provide for safe vehicle access between roads and lots.

Standard C21
Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane
A side or rear lane principally providing access to parking on lots with another street frontage.

<table>
<thead>
<tr>
<th>Traffic 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>
<tr>
<td>Footpath provision</td>
<td>None</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>None</td>
</tr>
</tbody>
</table>

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>300vpd to 1000vpd</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>
</tbody>
</table>
**Kerbing**
- Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

**Footpath provision**
- Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed.
- or
- 1.5m wide footpath offset a minimum distance of 1m from the kerb.

**Cycle path provision**
- None

### Access Street - Level 1
A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic 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 volume¹</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>50 kph² reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.5m minimum lane width in each direction of travel.</td>
</tr>
<tr>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
</tr>
<tr>
<td>0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<td>1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or</td>
</tr>
<tr>
<td>1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td>An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.</td>
</tr>
<tr>
<td>Bus stops at the kerbside, not indented within the verge.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verge width⁴</th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
<tbody>
<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.</td>
</tr>
<tr>
<td></td>
<td>Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.</td>
</tr>
<tr>
<td></td>
<td>Footpaths offset a minimum distance of 1m from the kerb.</td>
</tr>
</tbody>
</table>

**Connector Street - Level 2**
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>60 kph³ or 50km/h reduced to 40kph at schools.</td>
</tr>
</tbody>
</table>
**Carriageway width**, cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
- 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium.
- 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium.
- For on-street cycling, increase the minimum clear carriageway in each direction by:
  - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway
  - 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.
- An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.
- Bus stops located at the kerbside, not indented within the verge.

**Verge width**

- 6m minimum each side (plus central median).

**Kerbing**

- Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

**Footpath and cycle path provision**

- 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or
- 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway.
- Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

**Arterial Road**

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>Greater than 7000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Carriageway width &amp; parking provision</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Verge width</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------------------------</td>
</tr>
<tr>
<td>Kerbing</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Footpath &amp; cycle path provision</td>
<td>3m wide shared path on each side or as otherwise required by the relevant roads authority.</td>
</tr>
</tbody>
</table>

**Key to Table C1**

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives
To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Standard C22
The supply of drinking water must be:
- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective
To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23
Reused and recycled water supply systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24
Waste water systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.
Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives
To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria 
  \[ d_a V_{ave} < 0.35 \text{ m}^3/\text{s} \] (where, \( d_a \) = average depth in metres and \( V_{ave} \) = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
**Shared trenching objectives**

To maximise the opportunities for shared trenching.

To minimise constraints on landscaping within street reserves.

**Standard C27**

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

**Electricity, telecommunications and gas objectives**

To provide public utilities to each lot in a timely, efficient and cost effective manner.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

**Standard C28**

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The 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.
[NO CONTENT]
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, which ever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided.
Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.
Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**
To encourage development that respects the landscape character of the area.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
To provide appropriate landscaping.
To encourage the retention of mature vegetation on the site.
To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

**Standard D10**
The landscape layout and design should:
- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.
Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.
The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.
Development should provide the deep soil areas and canopy trees specified in Table D2.
If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:
- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

*Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.*

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

**Access objective**

To ensure the number and design of vehicle crossovers respects the urban context.

**Standard D11**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.
**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

**Parking location objectives**

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

**Standard D12**

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Integrated water and stormwater management objectives**

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

**Standard D13**

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
**AMENITY IMPACTS**

**Building setback objectives**

To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

To limit views into habitable room windows and private open space of new and existing dwellings.

To provide a reasonable outlook from new dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

**Standard D14**

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

**Internal views objective**

To limit views into the private open space and habitable room windows of dwellings within a development.

**Standard D15**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone interface</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td>Roads</td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td>Railways</td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

*Note: The noise influence area should be measured from the closest part of the building to the noise source.*

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.

- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Table D4 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</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.
INTERNAL AMENITY

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24
Bedrooms should:
- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D8 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard D25
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

**Windows objective**

To allow adequate daylight into new habitable room windows.

**Standard D26**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard D27**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.
  - Appropriately accommodate any existing or proposed easements on the lots.
- Protect solar access for existing and any future dwellings on the lots.
- Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
- Appropriately accommodate private open space.
- Appropriately accommodate the provision of utility services to each lot.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
- Appropriately accommodate the existing use and possible future development of the land.

  - Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
  - If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
  - The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
  - Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.
  - Appropriately accommodate any existing loading bay and vehicle storage area.
- Appropriately accommodate significant vegetation.
- Appropriately accommodate existing or proposed easements on the lots.
- Appropriately accommodate the provision of utility services to each lot.
- Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.

- For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.

- Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.

- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.

- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
FRONT FENCE IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.
BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
  - The built form and character of adjoining and nearby buildings.
  - The heritage character of any adjoining heritage places.
  - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
  - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
  - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
    - A10 Side and rear setbacks.
    - A11 Walls on boundaries.
    - A12 Daylight to existing windows.
    - A13 North-facing windows.
    - A14 Overshadowing open space.
If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

### Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.
REMOVE, DESTROY OR LOP A TREE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy facility is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

General
- The significance of the heritage place and whether the proposal will adversely affect that significance.
• Any applicable statement of significance, heritage study and any applicable conservation policy.
• Whether the proposal will adversely affect the character or appearance of the building or heritage place.
• Whether the proposal meets any relevant local heritage policy set out in the scheme.

Demolition
• Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

Buildings and works
• Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
• Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

Alterations
• Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
• Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

Fences
• Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
• Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

Trees
• Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

Subdivision
• Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
• Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
• Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

Signage
• Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
**Signs**

**Information Requirements**

An application must be accompanied by the following information, as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

**Decision Guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
- The extent to which the proposed sign requires the removal of vegetation.

- Whether the proposed sign is consistent with any outdoor advertising theme.

- Whether there is a need for identification and the opportunities for adequate identification on the site or locality.

- Whether the proposed sign will adversely impact road safety.
**CAR PARKING**

**Information requirements**

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.

- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area’s existing car parking.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.

- The objectives contained in the schedule to the Parking Overlay.

- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.

- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.

- Whether there is any car parking deficiency associated with the existing use of the land.

- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.

- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.

- Whether there is a need to create safe, functional and attractive parking areas.

- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.
TWO LOT SUBDIVISION IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Any Regional Catchment Strategy applying to the land.

- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
BUILDINGS AND WORKS IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, nose, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.

- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.

- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.

- Photographs of the building or area affected by the proposal.

- A written statement, plan or diagram demonstrating how the proposal meets:
  - The garden area requirement specified in the zone.
  - The requirements in the following standards of Clause 54:
- A10 Side and rear setbacks.
- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objectives and standard A6.
  - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
  - Clause 54.03-6 Significant trees objectives and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

### Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The following objectives, standards and decision guidelines of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objective and standard A6.
  - Clause 54.03-5 Energy efficiency protection objective and standard A7.
  - Clause 54.03-6 Significant trees objective and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.
LOCAL VICSMART APPLICATIONS

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.
### Table 1 Classes of local VicSmart application under zone provisions

<table>
<thead>
<tr>
<th>Name of zone or class of zone</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 2 Classes of local VicSmart application under overlay provisions

<table>
<thead>
<tr>
<th>Name of overlay or class of overlay</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 3 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements
None specified

2.0 Decision guidelines
None specified
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
[NO CONTENT]
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.
62.02 BUILDINGS AND WORKS

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-1

Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.
- An annexe attached to a movable caravan located on land used for a camping and caravan park.
- Works associated with geotechnical testing or service proving.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

### Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbecues, 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.
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.

66.01-2 15/09/2008 VC49

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>
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</tr>
</tbody>
</table>

### Native vegetation

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the <em>Guidelines for the removal, destruction or lopping of native vegetation</em> (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Cattle feedlot

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the site is located within a special water supply catchment area under the <em>Catchment and Land Protection Act 1994</em>, the relevant water authority under the <em>Water Act 1989</em> and the Secretary to the Department administering the <em>Catchment and Land Protection Act 1994</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If the number of cattle is 5000 or more, the Environment Protection Authority</td>
<td></td>
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</tr>
</tbody>
</table>

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### Major electricity line or easement

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Special water supply catchment area

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <em>Catchment and Land Protection Act 1994</em> and which provides water to a domestic supply.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.

### Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Industry or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 1 or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 2 and if any of the following apply:</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>‒ A notification is required under the Occupational Health and Safety Regulations 2007.</td>
<td>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.

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**Stone Extraction**

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>‒ To use or develop land for stone extraction.</td>
<td>Secretary to the Department administering the 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>

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
</table>

<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 Catchment and Land Protection Act 1994.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>‒ In Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</td>
<td>Secretary to the Department administering the <em>Flora and Fauna Guarantee Act 1988</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.</td>
<td>Secretary to the Department administering Section 201 of the <em>Water Act 1989</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for stone extraction:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>In areas with communities or taxa listed or critical habitat determined under the <em>Flora and Fauna Guarantee Act 1988</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To use or develop land for stone extraction on land which has been identified in this scheme as flood prone.</td>
<td>Secretary to the Department administering Section 201 of the <em>Water Act 1989</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for stone extraction if the land is intended to be used for land fill at a future date.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em> and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>On land which abuts a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the Geothermal Energy Resources Act 2005</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the Greenhouse Gas Geological Sequestration Act 2008</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This does not apply to:

- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.
- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.
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>
</tbody>
</table>
| Clause 44.06-6 (BMO) | An application to construct a building or carry out works associated with a dwelling. This does not apply to a non habitable outbuilding that meets the following requirements:  
  - The outbuilding is ancillary to a dwelling,  
  - 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,  
  - The canopy of each tree within the defendable space is separated by at least 2 metres, and  
  - Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. | Relevant fire authority | Recommending referral authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
<p>| Clause 44.07-4 (SRO) | An application of the kind specified in a schedule to the overlay.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Referral authority specified in a schedule to the overlay | Determining referral authority                                                                 |
| Clause 45.01-3 (PAO) | An application under the overlay.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Acquiring authority specified in the schedule to the overlay | Determining referral authority                                                                 |
| Clause 45.07-6 (CLPO) | An application under the overlay.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Roads Corporation | Determining referral authority                                                                 |
| Clause 52.05 | An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the 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 Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Any other application under the Clause.</td>
<td>Owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1 or the PAO</td>
<td></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>On land identified as the Gippsland Coalfields Policy Area in the Local Planning Policy Framework</td>
<td>To subdivide land. To use land or to construct a building or construct or carry out works for a cemetery, educational centre, exhibition centre, function centre, golf course, hospital, industry), major sports and recreational facility, shop or office with a gross floor area exceeding 2000 square metres, or accommodation if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25 percent to the gross floor area of the existing accommodation building.</td>
<td>Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 4.0 of Schedule 2 to Clause 37.01 (SUZ)</td>
<td>An application to subdivide land. An application for buildings and works.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 6.0 of Schedule 3 to Clause 42.01 (ESO)</td>
<td>To subdivide land which creates a lot with an area less than 20 hectares.</td>
<td>Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
| Clause 6.0 of schedule 3 to Clause 42.01 (ESO) | To develop land for:  
  - Accommodation if the total number of people to be accommodated exceeds 100, or the proposed development results in an increase of greater than 25% to the floor area of an existing accommodation building.  
  - Cemetery  
  - Education Centre  
  - Exhibition Centre  
  - Function Centre  
  - Golf course  
  - Hospital  
  - Industry (other than Rural industry)  
  - Major sports and recreation facility  
  - Office with a floor area exceeding 2,000 square metres | Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990 | Determining referral authority |
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 3.0 of Schedule 10 to Clause 43.02 (DDO10)</td>
<td>All applications to construct a building, to construct or carry out works or to construct a fence.</td>
<td>Secretary to the Department of Health and Human Services</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 3.0 of Schedule 11 to Clause 43.02 (DDO11)</td>
<td>All applications to construct a building, to construct or carry out work or to construct a fence which has a finished height greater than 35.1 metres above the Australian Height Datum.</td>
<td>Secretary to the Department of Health and Human Services</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 1 to Clause 45.02 (AEO)</td>
<td>An application for a use listed in the Schedule.</td>
<td>Airport owner</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 2 to Clause 45.02 (AEO)</td>
<td>An application for a use listed in the Schedule.</td>
<td>Airport owner</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

- Shop with a floor area exceeding 2,000 square metres
- Timber plantation.
**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 <em>Airports Act 1996</em></td>
</tr>
<tr>
<td>Clause 52.09-8</td>
<td>An application to use or subdivide land or construct a building for Accommodation, Child care centre, Education centre or Hospital:</td>
<td>The Secretary of the Department administering the <em>Mineral Resources (Sustainable Development) Act 1990</em></td>
</tr>
<tr>
<td></td>
<td><em>Within an Extractive Industry Interest Area.</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>On land which is within 500 metres of land on which a work plan has been applied for or granted under the <em>Mineral Resources (Sustainable Development) Act 1990.</em></em></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>These requirements do not apply to an extension to buildings or works.</td>
<td></td>
</tr>
<tr>
<td>Clause 52.21</td>
<td>An application to construct, use or illuminate a private tennis court under any provision of this scheme.</td>
<td>The owners and occupiers of adjoining and opposite properties</td>
</tr>
<tr>
<td>Clause 52.27</td>
<td>An application in association with a hotel, tavern or nightclub that is to operate after 1am.</td>
<td>Chief Commissioner of Victoria Police</td>
</tr>
<tr>
<td>Clause 53.09</td>
<td>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.</td>
<td>Environment Protection Authority</td>
</tr>
<tr>
<td>Clause 67.02</td>
<td>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</td>
<td>The owners and occupiers of adjoining land</td>
</tr>
<tr>
<td></td>
<td>The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust</td>
<td></td>
</tr>
<tr>
<td>Clause 67.03</td>
<td>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.</td>
<td>The Secretary to the Department administering the <em>Flora and Fauna Guarantee Act 1988</em></td>
</tr>
</tbody>
</table>
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>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

WELLINGTON PLANNING SCHEME
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.
**Municipal Planning Strategy**

The Municipal Planning Strategy at Clause 02 sets out the vision for the future development of the municipality and sets the strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

**Relationship to the Municipal Strategic Statement**

For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.
- Where Clause 21 is not included in this scheme:
  - The Municipal Planning Strategy at Clause 02.
  - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
  - A schedule to Clause 74.01.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.
OPERATION OF THE PLANNING POLICY FRAMEWORK

Purpose of the Planning Policy Framework

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.
Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

Section 1 uses

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

Section 2 uses

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

Section 3 uses

A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
OPERATION OF VICSMART APPLICATIONS AND PROCESS

VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Wind energy facility
- Minor utility installation used to transmit or distribute electricity generated by a Wind energy facility
- Utility installation used to transmit or distribute electricity generated by a Wind energy facility

with the exception of the following:

- in relation to permits for the use and development of land for a Wind energy facility issued prior to 2 April 2015 under Division 1 of Part 4 of the Act, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority

- in relation to permits for the use and development of land for a Wind energy facility issued prior to 2 April 2015 under Division 6 of Part 4 of the Act, the Council is the responsible authority for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, subject to the operation of section 97H of the Act.
SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0

Responsible authority for administering and enforcing this planning scheme:
The Wellington 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

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 *Basslink – Land Use and Development Controls 2002* in the schedule to Clause 51.01 of this planning scheme.

3.0

Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0

Responsible authority for VicSmart applications:
The Chief Executive Officer of Wellington 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 the Wellington Shire Council.
WHAT DOES THIS PLANNING SCHEME CONSIST OF?

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).

- All clauses in the Planning Policy Framework that include the letter ‘L’ in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered ‘11.01-1L’ would be an example of a local provision in the Planning Policy Framework. ‘C1Z’ is an example of a code on a map that may be specified in the schedule to this clause. It stands for ‘Commercial 1 Zone’.
SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

Maps comprising part of this planning scheme:

- 1, 1HO, 1BMO
- 2, 2BMO
- 3, 3HO, 3BMO
- 4, 4BMO
- 5, 5HO, 5BMO
- 6, 6BMO
- 7, 7HO, 7BMO
- 8, 8BMO
- 9, 9HO, 9BMO
- 10, 10BMO
- 11, 11BMO
- 12, 12ESO8, 12HO, 12BMO
- 13, 13BMO
- 14, 14ESO8, 14BMO
- 15, 15DPO, 15HO, 15BMO
- 16, 16ESO8, 16BMO
- 17, 17HO, 17BMO
- 18, 18BMO
- 19, 19BMO
- 20, 20BMO
- 21, 21BMO
- 22, 22BMO
- 23, 23BMO
- 24, 24HO, 24LSIO-FO, 24BMO
- 25, 25ESO2, 25LSIO-FO, 25BMO
- 26, 26DPO, 26HO, 26LSIO-FO
- 27, 27DPO
- 28, 28DPO, 28HO, 28BMO
- 29, 29DPO, 29HO, 29BMO
- 30, 30BMO
- 31, 31EAO, 31BMO
- 32, 32BMO
- 33, 33DPO, 33PAO, 33LSIO-FO, 33BMO
- 34, 34BMO
- 35, 35LSIO-FO, 35BMO
- 36, 36LSIO-FO, 36BMO
- 37, 37ESO2, 37LSIO-FO, 37BMO
- 38, 38DPO, 38LSIO-FO, 38BMO
- 39, 39ESO2, 39LSIO-FO, 39BMO
- 40, 40BMO
- 41, 41HO, 41LSIO-FO, 41BMO
- 42, 42HO, 42LSIO-FO
- 43, 43LSIO-FO, 43BMO
- 44, 44BMO
- 45, 45DDO, 45EAO, 45DPO, 45ESO7, 45LSIO-FO, 45BMO
- 46, 46ESO7, 46LSIO-FO
- 47, 47HO, 47LSIO-FO
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- 49, 49HO, 49LSIO-FO
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- 53, 53DPO, 53EAO, 53LSIO-FO
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- 68, 68DPO, 68LSIO-FO
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- 70, 70DDO, 70DPO, 70EAO, 70HO, 70LSIO-FO, 70PAO
- 71, 71DDO
- 72, 72LSIO-FO, 72BMO
- 73, 73LSIO-FO
- 74, 74DDO, 74HO, 74LSIO-FO
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- 80
- 81, 81DDO, 81ESO7
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- 83, 83DDO, 83HO, 83LSIO-FO
- 84, 84DDO, 84DPO, 84HO
- 85, 85DDO, 85DPO
- 86, 86AEO, 86DDO, 86EAO
- 87, 87DDO, 87LSIO-FO, 87DPO
- 88, 88DDO, 88HO, 88LSIO-FO
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- 97, 97DDO
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221, 221ESO1, 221ESO2, 221BMO
222, 222ESO1, 222BMO
DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the Planning and Environment Act 1987.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

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<th>Name of document</th>
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<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
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<tr>
<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
<td>VC26</td>
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<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
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<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities. Standards Australia 2002</td>
<td>VC77</td>
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<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
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<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
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<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
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<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
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<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
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<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
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<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
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<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
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<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
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<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
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<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
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<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
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<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<td>VC139</td>
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<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
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<td>Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)</td>
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<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
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<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
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<td>Victorian Code for Cattle Feedlots, August 1995</td>
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<td>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
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<td>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
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**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME**

### Incorporated documents

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<td>Basslink – Land Use and Development Controls, 2002</td>
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<tr>
<td>Hollands Landing Estate Restructure Plan Sheet 1 of 2 and Sheet 2 of 2, 15 June 2000</td>
<td>NPS1</td>
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<td>“Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach, Incorporated Document, March 2012” comprising:</td>
<td>C71</td>
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<tr>
<td>- Stage R7, DRG No 3421019-00-001</td>
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<td>- Stage R22, DRG No 3421019-00-016</td>
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<tr>
<td>- Index Sheet, DRG No 3421019-00-017</td>
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<td>Ninety Mile Beach Restructure Plan Stage R1, 15 June 2000</td>
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<tr>
<td>Ninety Mile Beach Restructure Plan Stage R4, 15 June 2000</td>
<td>NPS1</td>
</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R5, 15 June 2000</td>
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<tr>
<td>Ninety Mile Beach Restructure Plan Stage R6, 15 June 2000</td>
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<tr>
<td>Ninety Mile Beach Restructure Plan Stage R23, 15 June 2000</td>
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<td>Ninety Mile Beach Restructure Plan Stage R24, 15 June 2000</td>
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<tr>
<td>Ninety Mile Beach Restructure Plan Stage R25 &amp; R26, 15 June 2000</td>
<td>NPS1</td>
</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R27 &amp; R28, 15 June 2000</td>
<td>NPS1</td>
</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R29, 15 June 2000</td>
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</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R30, 15 June 2000</td>
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</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R31, 15 June 2000</td>
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</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R32, 15 June 2000</td>
<td>NPS1</td>
</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R33, 15 June 2000</td>
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</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R34, 15 June 2000</td>
<td>NPS1</td>
</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R35 &amp; R36, 15 June 2000</td>
<td>NPS1</td>
</tr>
<tr>
<td>Ninety Mile Beach Restructure Plan Stage R37 Sheet 1 of 2 and Sheet 2 of 2, 15</td>
<td>NPS1</td>
</tr>
<tr>
<td>June 2000</td>
<td></td>
</tr>
<tr>
<td>Princes Highway Duplication, Traralgon to Kilmany, Incorporated Document,</td>
<td>C76</td>
</tr>
<tr>
<td>November 2012</td>
<td></td>
</tr>
<tr>
<td>Sale Golf Club Re Development Concept Masterplan March 2006</td>
<td>C69</td>
</tr>
<tr>
<td>Sale Golf Club Re-Development Landscape Strategy Plan June 2006</td>
<td>C69</td>
</tr>
<tr>
<td>Wellington Shire Heritage Controls comprising:</td>
<td></td>
</tr>
<tr>
<td>• Alberton Cemetery Heritage Permit Exemptions</td>
<td>C26(Part 1)</td>
</tr>
<tr>
<td>• Individual Heritage Places (Rural areas) Permit Exemptions</td>
<td>C26(Part 1)</td>
</tr>
<tr>
<td>• Individual Heritage Places (Township areas) Permit Exemptions</td>
<td>C26(Part 1)</td>
</tr>
<tr>
<td>• Port Albert Heritage Precinct Permit Exemptions</td>
<td>C26(Part 1)</td>
</tr>
<tr>
<td>• Sale &amp; District Agricultural Society Showgrounds Heritage Permit Exemptions</td>
<td>C26(Part 2)</td>
</tr>
<tr>
<td>• Sale Residential Heritage Precincts Permit Exemptions (amended September</td>
<td>C93</td>
</tr>
<tr>
<td>2015)</td>
<td></td>
</tr>
<tr>
<td>• Sale Rural Heritage Precinct Permit Exemptions</td>
<td>C26(Part 1)</td>
</tr>
<tr>
<td>• Sale Town Centre Heritage Permit Exemptions</td>
<td>C26(Part 1)</td>
</tr>
<tr>
<td>• Wellington Shire Heritage Place Citations 2007 (amended August 2016)</td>
<td>C84</td>
</tr>
<tr>
<td>Wellington Shire Stage 2 Heritage Study, Volume 2: Citations, September 2016</td>
<td>C92(Part 2)</td>
</tr>
<tr>
<td>(amended August 2017)</td>
<td></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:

15 June 2000
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents. The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

A background document may be referenced elsewhere in this planning scheme without being listed in the table or schedule to this clause.

Table to Clause 72.08

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Highlands Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Gippsland Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Great South Coast Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Hume Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
</tbody>
</table>
SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme.

- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include 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 barbecue, 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 Gambling Regulation Act 2003.</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, Queenscliffe and Surf Coast planning schemes.                                                                                                                                                                                                                                                                                                                                                                                                                       |
| **Gippsland region**                          | The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.                                                                                                                                                                                                                                                                                                                                                                                                            |
| **Great South Coast region**                  | The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes                                                                                                                                                                                                                                                                                                                                                               |
| **Gross floor area**                          | The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.                                                                                                                                                                                                                                                                                                                                 |
| **Ground level**                              | The natural level of a site at any point.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| **Habitable room**                            | Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.                                                                                                                                                                                                                                           |
| **High quality productive agricultural land** | Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:  
  a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or  
  b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.                                                                                                                                                                                                 |
<p>| <strong>Hume region</strong>                               | The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.                                                                                                                                                                                                                                                                                                                                 |
| <strong>Land capability assessment</strong>                | The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.                                                                                                                                                                                                                                                                                                                                                       |</p>
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>The area covered by the Banyule, Bayside, Borroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maryknong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchell Planning Scheme.</td>
</tr>
<tr>
<td>Mineral</td>
<td>Any substance which occurs naturally as part of the earth's crust, including:</td>
</tr>
<tr>
<td></td>
<td>a) oil shale and coal; and</td>
</tr>
<tr>
<td></td>
<td>b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes.</td>
</tr>
<tr>
<td></td>
<td>It does not include water, stone, or petroleum.</td>
</tr>
<tr>
<td>Movable building</td>
<td>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</td>
</tr>
<tr>
<td>Net floor area</td>
<td>The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.</td>
</tr>
<tr>
<td>Plot ratio</td>
<td>The gross floor area of all buildings on a site, divided by the area of the site.</td>
</tr>
<tr>
<td>Private open space</td>
<td>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</td>
</tr>
<tr>
<td>Property vegetation plan</td>
<td>A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
<tr>
<td>Radio mast</td>
<td>A mast, for radio transmission or reception in a dwelling, that is: a) with antenna, more than 14 metres above the ground; b) if attached to a building, with antenna, more than 5 metres above the roof line; c) including antenna, wider than 6 metres; or d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.</td>
</tr>
<tr>
<td>Retail</td>
<td>The sale of goods or materials, in any quantity or manner, other than by wholesale.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.</td>
</tr>
<tr>
<td>Setback</td>
<td>The minimum distance from any allotment boundary to a building.</td>
</tr>
<tr>
<td>Sexual services</td>
<td>Has the same meaning as it has in the <em>Sex Work Act 1994</em>.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.</td>
</tr>
<tr>
<td>Storey</td>
<td>That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>The use of farming practices and systems which maintain or enhance: 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, windvanes, or the like.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td>Major promotion sign</td>
<td>A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Panel sign</td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
<tr>
<td>Pole sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on a pole or pylon that is not part of a building or another structure;</td>
</tr>
<tr>
<td></td>
<td>b) that is no more than 7 metres above the ground;</td>
</tr>
<tr>
<td>Sign term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>c)</td>
<td>with an advertisement area not exceeding 6 square metres; and</td>
</tr>
<tr>
<td>d)</td>
<td>that has a clearance under it of at least 2.7 metres.</td>
</tr>
<tr>
<td>Promotion sign</td>
<td>A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign:</td>
</tr>
<tr>
<td>a)</td>
<td>on or above the roof of a building, but not a verandah;</td>
</tr>
<tr>
<td>b)</td>
<td>fixed to the wall of a building and which projects above the wall; or</td>
</tr>
<tr>
<td>c)</td>
<td>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.

Terms which do not specifically include other listed terms
If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms
A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms
If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Accommodation</td>
<td>Land used to accommodate persons.</td>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Land used to sell or hire sexually explicit material, including:</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) publications classified as restricted under the <em>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</em>; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>Land used to:</td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;</td>
<td>Aquaculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) keep, breed, board, or train animals, including livestock, and birds; or</td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Amusement park</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>A building that contains:</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) three or more coin, card, or token operated amusement machines;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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<td>---------------------------------------------------------------------------</td>
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</tr>
<tr>
<td></td>
<td>b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) two or more coin, card, or token operated billiard, snooker, or pool tables.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Hotel or Tavern.</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></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></td>
<td></td>
<td>Animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Apiculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Horse stables</td>
<td></td>
</tr>
<tr>
<td>Animal keeping</td>
<td>Land used to:</td>
<td>Animal boarding</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td>a) breed or board domestic pets; or</td>
<td>Dog breeding</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) keep, breed, or board racing dogs.</td>
<td>Racing dog keeping</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></td>
<td></td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry hatchery</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals.</td>
<td>Horse riding school</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Racing dog training</td>
<td></td>
</tr>
<tr>
<td>Apiculture</td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive products.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.</td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td>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>Exhibition centre</td>
<td></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>
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<tr>
<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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles.</td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Car sales</td>
<td></td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td>Land used to dispose of human remains by burial. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Land used to care for five or more children who are not permanently resident on the land.</td>
<td>Kindergarten</td>
<td></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></td>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>---------------------</td>
<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, Rice growing, Timber production</td>
<td></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 laundering 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>
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<td>-----------------------------------------------</td>
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</tr>
<tr>
<td>Predominantly at another location.</td>
<td>It does not include the use of dry cleaning processes on the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Dwelling</strong></td>
<td>A building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a closet pan and wash basin. It includes out-buildings and works normal to a dwelling.</td>
<td>Bed and breakfast Caretaker's house</td>
<td>Accommodation</td>
</tr>
<tr>
<td><strong>Education centre</strong></td>
<td>Land used for education.</td>
<td>Employment training centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tertiary institution</td>
<td></td>
</tr>
<tr>
<td><strong>Earth and energy resources industry</strong></td>
<td>Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.</td>
<td>Greenhouse gas sequestration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geothermal energy exploration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geothermal energy extraction</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mineral extraction</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Petroleum exploration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Petroleum extraction</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stone exploration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stone extraction</td>
<td></td>
</tr>
<tr>
<td><strong>Electoral office</strong></td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td><strong>Emergency services facility</strong></td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td></td>
<td>Education centre</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></td>
<td></td>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.</td>
<td>Freeway service centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Liquid fuel depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td></td>
<td>Conference centre</td>
<td>Warehouse</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>Function 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>Funeral parlour</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>Gambling premises</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gaming premises</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td></td>
</tr>
<tr>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration in accordance with the Geothermal Energy Resources Act 2005.</td>
<td>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>
<tr>
<td>Grazing animal production</td>
<td>Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes:</td>
<td>Animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• emergency, seasonal and supplementary feeding;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.</td>
<td></td>
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<tr>
<td></td>
<td>In this definition:</td>
<td></td>
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<tr>
<td></td>
<td><em>Emergency feeding</em> means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plans growing on the land;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Seasonal feeding</em> means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plans growing on the land;</td>
<td></td>
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<tr>
<td></td>
<td><em>Supplementary feeding</em> means providing feed to animals to supplement the food the animals</td>
<td></td>
<td></td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<tr>
<td>Included in</td>
<td>obtain by directly grazing, browsing or foraging plants growing on the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em></td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em></td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Heliport</td>
<td></td>
<td></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>Animal training</td>
</tr>
<tr>
<td>Horse riding school</td>
<td></td>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Horse stables</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>Horticulture</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...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Host farm</td>
<td>An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Hotel</td>
<td>Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>A building used for indoor leisure, recreation, or sport.</td>
<td>Dancing school</td>
<td>Minor sports and recreation facility</td>
</tr>
</tbody>
</table>
| Industry            | Land used for any of the following operations:    
                      a) any process of manufacture;  
                      b) dismantling or breaking up of any article;  
                      c) treating waste materials;  
                      d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);  
                      e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or  
                      f) any process of testing or analysis.  
                      If on the same land as any of these operations, it also includes:  
                      a) storing goods used in the operation or resulting from it;  
                      b) providing amenities for people engaged in the operation;  
                      c) selling by wholesale, goods resulting from the operation; and  
                      d) accounting or administration in connection with the operation. | Materials recycling  
                      Refuse disposal  
                      Transfer station  
                      Research and development centre  
                      Rural industry  
                      Service industry |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<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>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td>Land used for animal production where the animals’ food is imported from outside the immediate building, enclosure, paddock or pen. It does not include: an abattoir or sale yard; or grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td>Cattle feedlot, Intensive dairy farm</td>
<td>Animal production</td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Kindergarten</td>
<td></td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.</td>
<td>Garden supplies, Plant nursery</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Laundromat</td>
<td>Land used to clean or launder clothing or household items using self-service machines.</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility</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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>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.                                                                                                                                                                                                ankoia</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 provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.</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>
<td>Included in</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>
<td></td>
</tr>
<tr>
<td></td>
<td>d) gas mains providing gas directly to consumers;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) power lines designed to operate at less than 220,000 volts;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) a sewage treatment plant, and any associated disposal works, required to serve a neighbourhood;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) a pumping station required to serve a neighbourhood; 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.</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>Mooring pole</td>
<td></td>
<td>Marina</td>
<td>Residential hotel</td>
</tr>
<tr>
<td>Motel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td>Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports.</td>
<td>Leisure and recreation</td>
<td></td>
</tr>
<tr>
<td>Motor repairs</td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td>Panel beating</td>
<td>Service industry</td>
</tr>
<tr>
<td>Motor vehicle, boat, or caravan sales</td>
<td>Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing</td>
<td>Car sales</td>
<td>Retail premises</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>Motor vehicle, boat, caravan sale</td>
<td>Includes Definition of motor vehicles, boats, or caravans, and the sale or fitting of accessories.</td>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td>Place of assembly</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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank, Electoral office, Medical centre, Real estate agency, Travel agency</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Land used for sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport.</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>Paintball games facility.</td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
</tbody>
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<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
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</thead>
<tbody>
<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>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration in accordance with the <em>Petroleum Act 1998</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td>Land used for petroleum extraction in accordance with the <em>Petroleum Act 1998</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td>Animal production</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious or cultural activities, entertainment, or meetings.</td>
<td>Amusement parlour</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Carnival</td>
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<td></td>
<td></td>
<td>Cinema</td>
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<td>Circus</td>
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<td>Drive-in theatre</td>
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<td></td>
<td></td>
<td>Exhibition centre</td>
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<td></td>
<td></td>
<td>Function centre</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Hall</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Library</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted place of assembly</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td>Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Plant nursery</td>
<td>Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Land used to keep or breed poultry.</td>
<td>Broiler farm</td>
<td>Animal production</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Poultry hatchery</td>
<td>Land used to incubate and hatch poultry eggs.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Race course</td>
<td></td>
<td></td>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Racing dog 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></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></td>
<td>Residential building</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 hotel</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include:</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td></td>
<td>a) entertainment and dancing; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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</tr>
<tr>
<td></td>
<td>b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. 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>
</tr>
<tr>
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<td>-----------------------------------------------------</td>
</tr>
<tr>
<td>sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which:</td>
<td>Require a large area for handling, display and storage of goods; or Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire.</td>
<td>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
</tr>
<tr>
<td>l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which:</td>
<td>Require a large area for handling, display and storage of goods; or Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire.</td>
<td>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to:</td>
<td>Food and drink premises</td>
<td>Retirement village</td>
</tr>
<tr>
<td></td>
<td>a) sell goods by retail, or by retail and wholesale;</td>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) sell services; or</td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hire goods.</td>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Market</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Retirement village</td>
<td>Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Road freight terminal</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Land used for a rooming house as defined in the Residential Tenancies Act 1997.</td>
<td>Residential building</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td>Land used to:</td>
<td>Abattoir</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td>a) handle, treat, process, or pack agricultural produce;</td>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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</tr>
<tr>
<td>b) service or repair plant,</td>
<td>Land used to store unprocessed agricultural produce, or products used in</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>or equipment, used in agriculture; or</td>
<td>agricultural produce, or products used in agriculture.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) manufacture mud bricks.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rural store</strong></td>
<td>Land used to store unprocessed agricultural produce, or products used in</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>agricultural produce, or products used in agriculture.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Saleyard</strong></td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sawmill</strong></td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td><strong>Secondary school</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Service industry</strong></td>
<td>Land used to launder, repair, service or wash articles, machinery, or</td>
<td>Car wash, Dry cleaner, Motor repairs</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td>vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Service station</strong></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 accessories or parts;</td>
<td>b) selling of food, drinks and other</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) selling of food, drinks and other convenience goods;</td>
<td>convenience goods;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hiring of trailers;</td>
<td>c) hiring of trailers;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) servicing or washing of motor vehicles; and</td>
<td>d) servicing or washing of motor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) installing of motor vehicle</td>
<td>vehicles; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>accessories or parts.</td>
<td>and</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Shipping container storage</strong></td>
<td>Land used to store shipping containers. It may include the cleaning,</td>
<td>Adult sex product shop, Beauty salon,</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td>repair, servicing, painting or fumigation of the shipping</td>
<td>Bottle shop, Convenience shop, Dry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>containers. It may include the cleaning, repair, servicing, painting</td>
<td>cleaning agent, Department store,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or fumigation of the shipping containers.</td>
<td>Hairdresser, Laundromat</td>
<td></td>
</tr>
<tr>
<td><strong>Shop</strong></td>
<td>Land used to sell goods or services, or to hire goods. It includes the</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td>selling of bread, pastries, cakes or other products baked on the premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include food and drink premises, gambling premises, landscape</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>gardening supplies, manufacturing sales, market, motor vehicle, boat, or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>caravan sales, postal agency, primary produce sales, or trade supplies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Restricted retail</td>
<td>Includes Definition Land use term</td>
<td></td>
<td></td>
</tr>
<tr>
<td>premises</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supermarket</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slipway</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
<td></td>
<td>Fuel depot</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Land used to search for stone, including:</td>
<td></td>
<td>Earth and energy resources</td>
</tr>
<tr>
<td></td>
<td>a) conducting geological, geophysical, and geochemical surveys;</td>
<td></td>
<td>industry</td>
</tr>
<tr>
<td></td>
<td>b) costeasing and bulk sampling;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) drilling; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) taking samples for chemical, physical, or other testing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td>Land used for the extraction or removal of stone in accordance with the</td>
<td></td>
<td>Earth and energy resources</td>
</tr>
<tr>
<td></td>
<td>Mineral Resources (Sustainable Development) Act 1990.</td>
<td></td>
<td>industry</td>
</tr>
<tr>
<td>Store</td>
<td>Land used to store goods, machinery, or vehicles.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Store</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></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Take away food</td>
<td>Land used to prepare and sell food and drink for immediate</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>premises</td>
<td>consumption off the premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tavern</td>
<td>Land used to sell liquor for consumption on the premises. It may</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td></td>
<td>include accommodation, food for consumption on the premises, entertainment,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>dancing, amusement machines, and gambling.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telecommunications</td>
<td>Land used to accommodate any part of the infrastructure of a</td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>facility</td>
<td>Telecommunications network.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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</tr>
<tr>
<td>Tertiary institution</td>
<td>Education centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Timber yard</td>
<td>Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.</td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; primary production; or local government, government departments or public institutions.</td>
<td>Timber yard</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Tramway</td>
<td>Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.</td>
<td></td>
<td></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>Industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</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>Airport</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></td>
<td>Minor utility installation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-----------------------</td>
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</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Land used to generate electricity by wind force. It includes land used for: a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer. It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
</tbody>
</table>
NESTING DIAGRAMS

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-18.

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

Animal boarding

Dog breeding

Racing dog keeping

Animal production

See separate diagram for the sub-group of Animal production

Animal training

Horse riding school

Animal husbandry

Apiculture

Racing dog training

Horse stables

Agriculture

Aquaculture

Crop raising

Horticulture

Market garden

Rice growing

Timber production
73.04-3  Agriculture group (sub-group of Animal production)

73.04-4  Child care centre group

73.04-5  Education centre group
Industry group

- Materials recycling
- Refuse disposal

Industry

Research and development centre

- Abattoir
- Sawmill

Rural industry

- Car wash
- Dry cleaner

Service industry

- Motor repairs
- Panel beating

Transfer station
Earth and Energy Resources Group

Mineral exploration

Mineral extraction

Stone exploration

Stone extraction

Greenhouse gas sequestration exploration

Greenhouse gas sequestration

Geothermal energy exploration

Geothermal energy extraction

Petroleum exploration

Petroleum extraction

Earth and energy resources industry
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

- Boat launching facility
  - Boat ramp
  - Slipway
- Marina
  - Jetty
  - Mooring pole
  - Pier
  - Pontoon
Retail premises group

- Convenience restaurant
- Hotel
- Restaurant
- Take away food premises
- Tavern
- Betting agency
- Gaming premises
- Garden supplies
- Plant nursery
- Manufacturing sales
- Market
- Motor vehicle, boat, or caravan sales
  - Car sales
- Postal agency
- Primary produce sales
- Shop
  - See separate diagram for the sub-group of Shop
- Trade supplies
- Timber yard
Retail premises group (sub-group of Shop)

- Adult sex product shop
- Beauty salon
- Bottle shop
- Convenience shop
- Dry cleaning agent
- Department store
- Hairdresser
- Laundromat
- Restricted retail premises
  - Equestrian supplies
  - Party supplies
- Supermarket
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>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>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>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 <em>Victorian Code for Broiler Farms</em> 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>C3</td>
<td>8 NOV 2001</td>
<td>The amendment corrects technical errors and anomalies which</td>
</tr>
<tr>
<td>Amendment number</td>
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</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>C5</td>
<td>10 JAN 2002</td>
<td>The amendment places land along the western side of the South Gippsland Highway, in a Public Acquisition Overlay – PAO1 to enable VicRoads to undertake road widening works to improve the safety of the highway through Longford.</td>
</tr>
<tr>
<td>C4</td>
<td>17 JAN 2002</td>
<td>Introduces a minimum subdivision area in the schedule to the Rural Zone in respect of lot 2 LP65836, lot 1 LP65836 and CA 3A, Parish and Township of Sale to facilitate a realignment of existing lot boundaries.</td>
</tr>
<tr>
<td>C15</td>
<td>19 SEP 2002</td>
<td>Amends Clause 21.09-1 of the MSS to introduce strategic justification for the Basslink Electricity Interconnector Project. Introduces an incorporated document Basslink – Land Use and Development Controls, 2002 in clause 52.03 and clause 81 to control development of the Basslink Electricity Interconnector Project. Includes the Minister for Planning as the responsible authority for administering and enforcing the Planning Scheme in respect of the provisions of the Basslink – Land Use and Development Controls, 2002.&quot;</td>
</tr>
<tr>
<td>C14</td>
<td>3 OCT 2002</td>
<td>To include all land used by the Yarram Country Club to be provided within the Residential 1 Zone, consistent with surrounding development.</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</td>
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<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 document for 3 Rail Infrastructure Projects (Rail Gauge Standardisation Project, Regional Fast Rail Project and Fibre Optic Project) in 23 planning schemes.</td>
</tr>
<tr>
<td>C17</td>
<td>20 FEB 2003</td>
<td>Reconfigures the break up of the Planning Scheme Maps.</td>
</tr>
<tr>
<td>C7</td>
<td>3 APR 2003</td>
<td>The amendment introduces changes to the Strategy Plan for the Heyfield township in the MSS, rezones most of the areas of the Heyfield township, zoned Special Use Zone – Heyfield Residential/Industrial Interface to Residential 1 Zone, Mixed Use Zone, Rural Living Zone 2, Rural Living Zone 3, Rural Zone, Industrial 1 Zone, Public Park and Recreation Zone, Public Use Zone – Service and Utility and applies the Design and Development Overlay and Environmental Audit Overlay to particular land in Heyfield.</td>
</tr>
<tr>
<td>C13</td>
<td>5 JUN 2003</td>
<td>Rezones a new section of the South Gippsland Highway at Longford from Public Conservation and Resource Zone and Rural Zone to Road Zone 1 and removes the Public Acquisition Overlay from this land.</td>
</tr>
<tr>
<td>C9</td>
<td>12 JUN 2003</td>
<td>The amendment rezones land in the Rhodes Drive and Wandana Road Estates in Sale from Rural Living 2 Zone (RLZ2) to Low Density Residential Zone (LDRZ). The Development Plan Overlay 1 (DPO1) is removed from the northern section of Rhodes Drive, Sale. In the Wandana Road area the Rural Floodway Overlay (RFO) boundary has been reduced and the Land Subject to Inundation Overlay (LSIO) has been introduced.</td>
</tr>
<tr>
<td>C10</td>
<td>12 JUN 2003</td>
<td>The amendment rezones land south of Cobains Road, Sale, from Rural Living 3 Zone (RLZ3) and Business 4 Zone (B4Z) to Low Density Residential Zone (LDRZ). The remaining land is rezoned from Rural Living 3 Zone to Public Use 6 Zone (PUZ6), Public Park &amp; Recreation Zone (PPRZ) and Rural Zone (RUZ). South of Cobains Road, Sale, the Development Plan Overlay 1 (DPO1) is extended over the proposed Low Density Residential Zone.</td>
</tr>
<tr>
<td>C16</td>
<td>12 JUN 2003</td>
<td>Provides consistent zoning to freehold land incorrectly zoned, heritage overlay incorrectly located and environmental significance overlay incorrectly titled. Corrects minor technical error in</td>
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<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>C19</td>
<td>16 OCT 2003</td>
<td>The amendment corrects the location of the land affected by the Environmental Audit Overlay in Firebrace Road and Heyfield-Jamieson Road, Heyfield.</td>
</tr>
<tr>
<td>C11</td>
<td>18 DEC 2003</td>
<td>The amendment rezones land on the corner of Raglan Street and Somerton Park Road- Sale, from Industrial 1 Zone (IN1Z) to Residential 1 Zone (R1Z) and removes the Design &amp; Development Overlay 1 (DDO1) that applied to the Industrial 1 Zone land.</td>
</tr>
<tr>
<td>C21</td>
<td>18 DEC 2003</td>
<td>The amendment inserts reference to planning scheme maps 92DPO, 93DPO, 125DPO and 126DPO in the Schedule to Clauses 61.01-61.04 (inclusive).</td>
</tr>
<tr>
<td>C22</td>
<td>29 JAN 2004</td>
<td>The amendment inserts Heritage Overlay 117 into the Schedule to the Heritage Overlay and corrects mapping errors to Heritage Overlays 46 and 109.</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>
</tbody>
</table>
## Amendment List

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<tr>
<td>VC28</td>
<td>6 OCT 2004</td>
<td>Introduces a Particular provision, Clause 52.34, for Bicycle facilities.</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 policies expressed in the Great Ocean Road Region – A Land Use and Transport Strategy.</td>
</tr>
<tr>
<td>C20</td>
<td>3 FEB 2005</td>
<td>The amendment changes the MSS, introduces a new schedule to the RLZ, and rezones land as per the recommendations contained in the Residential &amp; Rural Residential Strategy, Maffra &amp; Environs District Report, July, 2003.</td>
</tr>
<tr>
<td>C25</td>
<td>18 AUG 2005</td>
<td>Implements the findings of the Three Year MSS Review Report. Deletes Clause 22.01 (Coastal Land Use Policy) and includes appropriate elements in the MSS and in a revised Environmental Significance Overlay, Schedule 1 (Coastal and Gippsland Lakes Environs). Deletes Clause 22.02 (Rural Land Policy) and includes appropriate elements in the MSS. Makes minor changes to the remaining policies. Makes minor changes to various schedules, including Schedules 1, 2 and 3 to the Special Use Zone (Clause 37.01), Schedule 1 to the Development Plan Overlay (Clause 43.04), the Schedules to the Flood Overlay (Clause 44.03) and the Land Subject to Inundation Overlay (Clause 44.04) and the Schedule to Clause 66.04 (Referral of applications).</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 to provisions in Clause 35.06 and Clause 57.01 regarding Wind energy facilities; amends advertising sign controls along railway corridors in Clause 36.01-7; amends Clauses 43.05-3, 55 &amp; 56 to refer to the Residential 3 Zone; amends Clause 44.05 to broaden the range of minor buildings and works that do not require a permit; amends Clauses 44.01, 44.02, 44.03, 44.04, 44.05, 45.01, 45.02 and 45.05 to introduce exemptions from notice and review for permit applications.</td>
</tr>
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<td>applications; Clarifies requirements for extractive industry and private tennis courts in Clauses 52.09, 52.21 and 66.05; introduces definition for Metropolitan Melbourne in Clause 72; introduces a “Tramway” definition and deletes reference to “lightrail”; introduces a new incorporated document, Activity Centres and Principal Public Transport Network Plan, 2003 in Clause 81.</td>
</tr>
<tr>
<td>C27</td>
<td>6 OCT 2005</td>
<td>Rationalises the Public Acquisition Overlay and zonings of the land associated with the road on the west side of South Gippsland Highway in Longford including land between Long Waterhole Creek and Bunnans Road and land adjacent to Rosedale-Longford Road between Clifford Street and Spencer Street, through the removal of the redundant overlay and the inclusion of the land within the road zone consistent with the status of the declared road.</td>
</tr>
<tr>
<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>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>C24 (Part 1)</td>
<td>25 MAY 2006</td>
<td>The amendment changes the MSS, introduces the Industrial 3 Zone, Farming Zone (and associated Schedule) and Vegetation Protection Overlay (and associated Schedule), and rezones land in accordance with the recommendations contained in the Residential &amp; Rural Residential Strategy, Yarram &amp; Environ District Report, July 2004.</td>
</tr>
<tr>
<td>C31</td>
<td>25 MAY 2006</td>
<td>Implements Section 48 of the Heritage Act to ensure that places in the Planning Scheme are consistently identified with places in the Victorian Heritage Register.</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</td>
</tr>
<tr>
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<tr>
<td>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 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>
<td>VC39 18 OCT 2006 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>
<td></td>
</tr>
<tr>
<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 state-wide affordable housing policies and makes other administrative corrections to the VPP and various planning schemes.</td>
<td>VC43 31 OCT 2006 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 state-wide affordable housing policies and makes other administrative corrections to the VPP and various planning schemes.</td>
<td></td>
</tr>
<tr>
<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>
<td>VC44 14 NOV 2006 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>
<td></td>
</tr>
<tr>
<td>The amendment rezones land in Sale, Maffra, Rosedale, and Tinamba to correct mapping errors and to better reflect the ownership and current and future use of the land.</td>
<td>C23 Part 1 30 NOV 2006 The amendment rezones land in Sale, Maffra, Rosedale, and Tinamba to correct mapping errors and to better reflect the ownership and current and future use of the land.</td>
<td></td>
</tr>
<tr>
<td>The amendment rezones land in Rosedale from Public Use Zone 6 to Rural Living Zone 1.</td>
<td>C23 Part 2 30 NOV 2006 The amendment rezones land in Rosedale from Public Use Zone 6 to Rural Living Zone 1.</td>
<td></td>
</tr>
<tr>
<td>Amends Clause 18 to update reference to the Australian Noise Exposure Forecast (ANEF) and relevant reference documents; deletes reference to Melbourne Airport in Clause 45.02-5; deletes Clause 45.02-6 and provides in Clause 66.05 for notice of permit applications to be given to the airport lessee of Melbourne airport.</td>
<td>VC30 14 MAY 2007 Amends Clause 18 to update reference to the Australian Noise Exposure Forecast (ANEF) and relevant reference documents; deletes reference to Melbourne Airport in Clause 45.02-5; deletes Clause 45.02-6 and provides in Clause 66.05 for notice of permit applications to be given to the airport lessee of Melbourne airport.</td>
<td></td>
</tr>
<tr>
<td>The amendment makes minor additions to the MSS in Clauses 21.01, 21.02, 21.04, 21.06 and 21.09. It also amends the schedule to the DPO and includes a minimum open space contribution to the schedule to Clause 52.01.</td>
<td>C38 31 MAY 2007 The amendment makes minor additions to the MSS in Clauses 21.01, 21.02, 21.04, 21.06 and 21.09. It also amends the schedule to the DPO and includes a minimum open space contribution to the schedule to Clause 52.01.</td>
<td></td>
</tr>
<tr>
<td>Revises Clause 21.04 of the planning scheme to include reference to Palmerston and revise the strategies, implementation and further strategic work as they relate to the Port Albert and Palmerston. Include the ‘Port Albert Master Plan, 2002’ and ‘Port Albert &amp; Palmerston Urban Design Guidelines, 2007’ as reference documents at Clause 21.09. Delete the application of Schedule 3 to the Design and Development Overlay from Port Albert and Palmerston. Introduces Schedule 9 to the Design and Development Overlay to the planning scheme for specific application to the townships of Port Albert and Palmerston.</td>
<td>C29 12 JUL 2007 Revises Clause 21.04 of the planning scheme to include reference to Palmerston and revise the strategies, implementation and further strategic work as they relate to the Port Albert and Palmerston. Include the ‘Port Albert Master Plan, 2002’ and ‘Port Albert &amp; Palmerston Urban Design Guidelines, 2007’ as reference documents at Clause 21.09. Delete the application of Schedule 3 to the Design and Development Overlay from Port Albert and Palmerston. Introduces Schedule 9 to the Design and Development Overlay to the planning scheme for specific application to the townships of Port Albert and Palmerston.</td>
<td></td>
</tr>
<tr>
<td>Introduces the Rural Conservation and Farming Zones into the Scheme and rezones all land in the Environmental Rural Zone to</td>
<td>C43 12 JUL 2007 Introduces the Rural Conservation and Farming Zones into the Scheme and rezones all land in the Environmental Rural Zone to</td>
<td></td>
</tr>
<tr>
<td>Amendment number</td>
<td>In operation from</td>
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<tr>
<td>Rural Conservation and all land in the Rural Zone to the Farming Zone. The Environmental Rural Zone and Rural Zone are deleted from the Scheme</td>
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<tr>
<td>C42</td>
<td>19 JUL 2007</td>
<td>The amendment makes minor changes to zonings and overlays to correct technical errors and reflect existing land use.</td>
</tr>
<tr>
<td>C47</td>
<td>9 AUG 2007</td>
<td>The amendment makes changes at Clause 43.01 to the Schedule to the Heritage Overlay by allowing the Responsible Authority to consider prohibited uses on the site of the Criterion Hotel, Sale.</td>
</tr>
<tr>
<td>C34</td>
<td>30 AUG 2007</td>
<td>Interim heritage planning controls placed on 14 Barkly Street, Sale (H0283)</td>
</tr>
<tr>
<td>C32</td>
<td>6 SEP 2007</td>
<td>Rezones the Sale Golf Club and land to the west, from Rural Zone (RUZ) to Comprehensive Development Zone (CDZ); amends Clauses 21.04 and 21.06 of the MSS, introduces the Comprehensive Development Zone to the Wellington Planning Scheme, introduces a schedule to the Comprehensive Development Zone; amends the schedule to Clause 81 by inserting an incorporated document — Sale Golf Club Comprehensive Development Plan.</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>
</tr>
<tr>
<td>C36</td>
<td>20 DEC 2007</td>
<td>Rezones land from Farming Zone to Residential 1 Zone on the north western periphery of Port Albert and applies the Development</td>
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<td>C48</td>
<td>20 DEC 2007</td>
<td>Introduces reference to the 'Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach' February 2007, and associated new policies to Clause 21.04. Creates new Clause 22.08 to implement the strategies of the Wellington Coast Subdivision Strategy. Adds an incorporated document 'Ninety Mile Beach Development and Subdivision Controls: The Honeysuckles to Paradise Beach' to Clause 52.03.</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>VC47</td>
<td>7 APR 2008</td>
<td>Translates provisions from the Melbourne Docklands Area Planning Provisions, September 2006 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>C37</td>
<td>26 JUN 2008</td>
<td>Introduces Design and Development Overlay schedules 10 &amp; 11 to ensure any future development does not conflict with the operations of the Yarram Recreation Reserve Emergency Medical Services helipad. Within the schedule to Clause 66.04 the amendment introduces the Department of Human Services as a referral authority for permit applications triggered by the Design and Development Overlay schedules 10 &amp; 11.</td>
</tr>
<tr>
<td>C44</td>
<td>26 JUN 2008</td>
<td>The amendment makes minor changes to Clauses 21.04, 21.09, 22.05 and Schedule 1 to the Special Use Zone (West Sale Aerodrome) to accommodate for planning policy introduced by new reference documents. Rezones land adjacent to the aerodrome to accurately reflect ownership and use.</td>
</tr>
<tr>
<td>C26 (Part 1)</td>
<td>17 JUL 2008</td>
<td>The amendment implements key findings of the Wellington Shire Heritage Study: Stage 1, May 2005 by adding heritage places and precincts of local significance in Sale and Port Albert to the Heritage Overlay, making related changes to the existing Municipal Strategic Statement and the Heritage policy at Clause 22.03, and correcting errors with the existing HO schedule and maps. It also includes the report Wellington Heritage Place Citations 2007, and seven reports listing permit exemptions within heritage places and precincts as Incorporated Documents listed in Clause 81. Removes interim heritage planning control placed on 14 Barkly Street, Sale (H0283) by Amendment C34.</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</td>
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<td>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>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 permit requirement for dry stone walls in 12 planning schemes.</td>
</tr>
<tr>
<td>C46</td>
<td>18 DEC 2008</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>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>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>C40</td>
<td>5 MAR 2009</td>
<td>The amendment makes general corrections to technical mapping errors to reflect the current land use and ownership of land. Where land is located within a Special Water Supply Catchment Area the Environmental Significance Overlay (Schedule 8 – Special Water Supply Catchment Areas) is to be applied. The amendment introduces Clause 35.08 (Rural Activity Zone) and its associated schedule.</td>
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<tr>
<td>C52</td>
<td>9 APR 2009</td>
<td>Rezones an unnamed former government road reserve extending north-south between the Yarram – Port Albert Road and the Old Port Foreshore Road from the Farming Zone to the Residential 1 Zone. The amendment also applies Development Plan Overlay – Schedule 1 to 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>C26(Part 2)</td>
<td>28 MAY 2009</td>
<td>The amendment implements key findings of the Wellington Shire Heritage Study: Stage 1, May 2005 by adding 12 heritage places in Sale to the Heritage Overlay. It also includes the ‘Sale &amp; District Agricultural Society Showgrounds Heritage Permit Exemptions’ Incorporated Plan to Clause 81 and amends the existing Incorporated Plan titled ‘Sale Residential Heritage Precincts Permit Exemptions’.</td>
</tr>
<tr>
<td>C61</td>
<td>30 JUN 2009</td>
<td>Replaces the ‘Ninety Mile Beach Development and Subdivision Controls: The Honeysuckles to Paradise Beach, August 2007’ Incorporated Document with the ‘Ninety Mile Beach Development and Subdivision Controls: The Honeysuckles to Paradise Beach, August 2007 (Revised June 2009)’ which extends the expiry date of the interim controls to 30 June 2011. Updates the Schedule to the Particular Provision: Specific Sites and Exclusions and the List of Incorporated Documents to reflect the changes.</td>
</tr>
<tr>
<td>VC61</td>
<td>10 SEP 2009</td>
<td>Introduces a new particular provision, Clause 52.43 - Interim measures for bushfire protection, 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>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</td>
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<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>C45</td>
<td>29 OCT 2009</td>
<td>The amendment rezones land bordered by South Gippsland Highway to the east, Punt Lane to the west, and part of a disused railway line to the north, approximately 80 meters south of McMillian Street, Sale from the Public Use Zone – Schedule 7 (Other public uses) &amp; the Public Park and Recreation Zone to the Public Use Zone – Schedule 2 (Education) and the Industrial 1 Zone in part.</td>
</tr>
<tr>
<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>C54</td>
<td>21 JAN 2010</td>
<td>To facilitate the duplication of the Princes Highway between Sale and Kilmany the Public Acquisition Overlay is applied south of the existing highway, portions of the Rural Floodway Overlay and Heritage Overlay 147 are removed, rezones land from Public Conservation and Resource Zone and Business 1 Zone to Road Zone 1 and inserts a permit exemption for vegetation removal in the Schedule to Clause 52.17.</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</td>
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<td>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>C58</td>
<td>11 FEB 2010</td>
<td>Rezones land known as Crown Allotment 114, Section 1, Parish of Sale as shown on TP524481V on the Princes Highway from Farming Zone to Residential 1 Zone; introduces Schedule 4 to the Development Plan Overlay into the Wellington Planning Scheme and subsequently applies it to the subject land; and updates the Sale Strategy Plan at Clause 21.04 to reflect the aforementioned changes.</td>
</tr>
<tr>
<td>C63</td>
<td>18 FEB 2010</td>
<td>Introduces a new Clause 44.06 “Wildfire Management Overlay” and associated Wildfire Management Overlay Maps.</td>
</tr>
<tr>
<td>C57</td>
<td>25 FEB 2010</td>
<td>For the purpose of constructing the South Gippsland Highway upgrade between Sale and Longford known as Stage 3, Cox’s Bridge; rezones required land to Road Zone 1, removes portions of Heritage Overlay 134 and Environmental Significance Overlay Schedule 2, and introduces planning permit exemptions for the required works into the Schedules to Clause 44.03 - Rural Flood Overlay and Clause 52.17 – Native Vegetation.</td>
</tr>
<tr>
<td>C59</td>
<td>25 FEB 2010</td>
<td>Rezones part of Lot 2 on Plan of Subdivision 607826P, on the north side of Cobains Road, Sale, from Farming Zone to Residential 1 Zone and applies a Development Plan Overlay (DPO4) to the land.</td>
</tr>
<tr>
<td>C53(Part 2)</td>
<td>11 MAR 2010</td>
<td>Applies the PAO2 to land in Sale (near the intersection of Cemetery Rd and Dawson St) to reserve and later acquire land for the construction of a new road.</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 brought into compliance with the planning scheme until 31 March 2012; and to clarify its purpose and operation.</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>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>
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</table>
| C53(Part 1)      | 29 JUL 2010       | Amends the schedule to Clause 45.01 to insert PAO4 (Gippsland Regional Sports Complex) and amends/inserts planning scheme maps to reserve land identified for Stage 2 of the Gippsland Regional Sports Complex (the north-west corner of Gibsons and
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<td>Cobains Roads, Sale); inserts a new planning scheme map to apply the PAO2 to land in Port Albert (on the western portion of contiguous lots fronting Charles St) to reserve and later acquire land for future road widening.</td>
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<tr>
<td>C60 29 JUL 2010</td>
<td>The amendment rezones two parcels of land in the township of Briagolong, one from Public Park &amp; Recreation Zone to Township, and vice versa, to facilitate the development of a consolidated local park for informal passive recreation.</td>
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<tr>
<td>VC69 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>
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<tr>
<td>VC68 6 AUG 2010</td>
<td>Amends the Casey, Hume, Melton, Mitchell, Whittlesea and Wyndham 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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</table>
| VC63 13 SEP 2010 | 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.
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<td>VC71</td>
<td>20 SEP 2010</td>
<td>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>
</tr>
<tr>
<td>C65(Part 1)</td>
<td>14 OCT 2010</td>
<td>The amendment applies the Public Acquisition Overlay to land west of the Kilmany landfill site, land at the Port of Sale Business Centre and land at 2242 Seaspray Rd, Seaspray.</td>
</tr>
<tr>
<td>VC74</td>
<td>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 authority and the Victoria Police a notice authority for an application under Clause 52.27 in association with a hotel, tavern or nightclub that is to operate after 1am.</td>
</tr>
<tr>
<td>VC76</td>
<td>19 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>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>C69</td>
<td>3 FEB 2011</td>
<td>Corrects errors in the zone maps, removes redundant overlay controls and corrects errors in: the Table of Contents; list of reference documents; and the list of incorporated documents.</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>
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<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>C50(Part 1)</td>
<td>23 JUN 2011</td>
<td>The amendment implements and includes as reference documents the Coastal Towns Design Frameworks for Golden Beach/Paradise Beach and The Honeysuckles. Changes include updates to Clauses 21.03, 21.04, 21.09, new Design and Development Overlay schedules for each town, and the rezoning of site specific areas of land in Golden Beach/Paradise Beach.</td>
</tr>
<tr>
<td>C50(Part 2)</td>
<td>30 JUN 2011</td>
<td>The amendment implements and includes as reference documents the Coastal Towns Design Frameworks for Loch Sport, Seaspray, Woodside Beach, Manns Beach, McLoughlins Beach and Robertsons Beach. Changes include updates to clauses 21.03, 21.04, 21.09, new Design and Development Overlay schedules for each town, application of ESO2 to land in Manns Beach and the rezoning of site specific areas of land in Manns Beach.</td>
</tr>
<tr>
<td>C66</td>
<td>30 JUN 2011</td>
<td>Rezones land between Golden Beach and Glomar Beach settlements from Low Density Residential Zone and Business 1 Zone to Rural Conservation Zone along Ninety Mile Beach. Introduces a Significant Landscape Overlay and Schedule 1 (Ninety Mile Beach and Surrounds) into the Wellington Planning Scheme and applies it over the land ‘between settlements’. Updates clauses 21.01, 21.02, 21.04, 21.05, 22.08 and 21.09 and the schedules to clauses 45.05, 52.03, 61.03 and 81.01 to accord with development restrictions ‘between settlements’ consistent with “Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach, Incorporated Document, June 2011”.</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 Policy and planning guidelines for development of Wind energy facilities in Victoria (August 2011), 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 National Parks Act 1975.</td>
</tr>
<tr>
<td>C65(Part 2)</td>
<td>1 SEP 2011</td>
<td>Applies the Public Acquisition Overlay to land adjoining Airy Clydebank Hall, in order to reserve and later acquire the land for the use of car parking and accessway, and makes a technical correction to a naming error in Clause 42.03 Schedule 1 to the Significant Landscape Overlay, and a mapping error in Clause 21.04 Settlement.</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.</td>
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<td>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>C68(Part 2)</td>
<td>27 OCT 2011</td>
<td>Corrects errors in the Zone and Overlay Maps and updates the referral authority in Schedule 1 to Clause 44.07.</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 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>2 FEB 2012</td>
<td>The amendment applies the Road Zone - Category 1 to parts of Dargo Road, east of Waterford; Hyland Highway, Willung South; Princes Highway, north of Sale; Rosedale-Heyfield Road, south of Heyfield; Seaspray Road, south of Longford; Grand Ridge Road, west of Carrajung and Traralgon-Balook Road near Balook, declared as arterial road and rezones areas where the Road Zone - Category 1 incorrectly applies, to the underlying zone. The amendment also makes a correction to the list of maps in the schedule to clause 61.03.</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>Amendment number</td>
<td>In operation from</td>
<td>Brief description</td>
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<tr>
<td>C78</td>
<td>7 JUN 2012</td>
<td>Amends the schedule to clause 61.01 to specify the Minister for Planning as the responsible authority for issuing planning certificates.</td>
</tr>
<tr>
<td>VC92</td>
<td>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>
</tr>
<tr>
<td>VC94</td>
<td>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>
</tr>
<tr>
<td>VC91</td>
<td>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>
</tr>
<tr>
<td>VC87</td>
<td>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>
</tr>
<tr>
<td>VC96</td>
<td>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>
</tr>
<tr>
<td>C62</td>
<td>1 NOV 2012</td>
<td>Review of EAO in Maffra and Heyfield, adding specific sites to the EAO in Sale and correct an EAO in Cobains.</td>
</tr>
<tr>
<td>C67</td>
<td>8 NOV 2012</td>
<td>Introduces the Sale, Wurruk and Longford Structure Plan and Sale CBD Precinct Plan as a local policy and reference documents into the Wellington Planning Scheme and deletes the State Resource Overlay from an area to the east of Longford. The amendment also makes minor changes in relation to bushfire hazard as a consequential technical change following amendments VC83 and VC86.</td>
</tr>
<tr>
<td>VC93</td>
<td>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 meets amenity requirements.</td>
</tr>
<tr>
<td>C75</td>
<td>20 DEC 2012</td>
<td>Introduce a settlement boundary for Alberton. Rezone land within the settlement boundary from Farming Zone to Township Zone and introduce a Design and Development Overlay to rezoned land.</td>
</tr>
<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.</td>
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<tr>
<td>Amendment number</td>
<td>In operation from</td>
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<tr>
<td>C73 28 FEB 2013</td>
<td></td>
<td>The amendment corrects mapping anomalies throughout the municipality; makes changes of a corrective nature to Clause 21.04 and Clause 22.03; and to the Schedule to Clause 35.07, Schedule 4 to Clause 37.01 and Schedule 2 to Clause 42.01.</td>
</tr>
<tr>
<td>VC89 5 MAR 2013</td>
<td></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 5 MAR 2013</td>
<td></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>
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<tr>
<td>VC85 14 MAR 2013</td>
<td></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</td>
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<td>Amendment number</td>
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<tr>
<td>VC93</td>
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<td>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>C76</td>
<td>28 MAR 2013</td>
<td>Amends maps to apply PAO1, and also amends Clauses 45.01, 52.03 and 81.01 by incorporating the “Princes Highway Duplication, Traralgon East to Kilmany, Incorporated Document, November 2012” into the planning scheme to facilitate the acquisition of land and the construction of the Princes Highway duplication.</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>C71</td>
<td>30 MAY 2013</td>
<td>Rezones land with permanent planning controls between Golden Beach and Glomar Beach settlements from Low Density Residential Zone and Business 1 Zone to Rural Conservation Zone along the Ninety Mile Beach. Makes permanent the Significant Landscape Overlay Schedule 1 (Ninety Mile Beach) into the Wellington Planning Scheme and applies it over the land ‘between settlements’. Updates mapping for all Rural Conservation Zones by renaming to Rural Conservation Zone Schedule 1 and inserts a new Schedule 2 for the Ninety Mile Beach ‘Between Settlements Area’ including the Lake Reeve Islands. Updates clauses 21.01, 21.02, 21.04, 21.05, 21.09, and 22.08 and the schedules to clauses 35.06, 45.05, 52.03, 61.03 and 81.01 to accord with development restrictions ‘between settlements’ consistent with ‘Ninety Mile Beach Development and Subdivision Controls Golden Beach to...</td>
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<tr>
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<tr>
<td>C77</td>
<td>30 MAY 2013</td>
<td>Applies the Public Acquisition Overlay Schedule 1 to portions of 3 parcels of land abutting the Hyland Highway between Lays Road and Campbells Road and amends the schedule to Clause 52.17 to permit the removal of vegetation over land associated with the construction of the Hyland Highway overtaking lane.</td>
</tr>
<tr>
<td>VC100</td>
<td>15 JUL 2013</td>
<td>The amendment changes the <em>Victoria Planning Provisions</em> (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 Commercial 2 Zone to the VPP. Replaces Clause 34.01 Business 1 Zone, Clause 34.02 Business 2 Zone and Clause 34.05 Business 5 Zone and schedules with the new Commercial 1 Zone and schedule in planning schemes. Replaces 34.03 Business 3 Zone and 34.04 Business 4 Zone and schedules with the new Commercial 2 Zone in planning schemes. Makes consequential changes to Clauses 15 and 17 of the State Planning Policy Framework, Clauses 52, 54, 55, 56 and 57 of the Particular Provisions and to other zones and overlays. Amends the Maribyrnong Planning Scheme by rezoning three Footscray properties in the port environs from Business 3 to Special Use Zone - Schedule 3.</td>
</tr>
<tr>
<td>VC104</td>
<td>22 AUG 2013</td>
<td>The amendment changes the <em>Victoria Planning Provisions</em> 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 -</td>
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<tr>
<td>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>
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<tr>
<td>C79</td>
<td>29 Aug 2013</td>
<td>Rezones land at 120 – 122 Cunninghame Street, Sale from Residential 1 to Mixed Use Zone. Grants a permit for land at 114 – 122 Cunninghame Street, Sale for the use and development of a bottle shop, associated signage and car parking.</td>
</tr>
<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 protection structures from permit requirements. Amends Clause 74 relating to the definitions of host farm, rural industry and primary produce sales.</td>
</tr>
<tr>
<td>VC102</td>
<td>28 Oct 2013</td>
<td>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.</td>
</tr>
<tr>
<td>VC99</td>
<td>10 Dec 2013</td>
<td>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:</td>
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<td>• 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.</td>
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<td>• Increase the average maximum height of a wall on boundary from 3.0 metres to 3.2 metres.</td>
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<td>• 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.</td>
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<tr>
<td>C70</td>
<td>19 DEC 2013</td>
<td>A policy neutral amendment which restructures, simplifies the form and content and updates factual information of the Municipal Strategic Statement.</td>
</tr>
<tr>
<td>VC105</td>
<td>20 DEC 2013</td>
<td>The amendment implements reforms to Victoria’s native vegetation and biodiversity provisions by:</td>
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<td>• Amending Clause 12.01 (Biodiversity) to reflect the new ‘no net loss’ approach rather than the previous ‘net gain’ approach.</td>
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<td>• Amending Clause 52.16 (Native vegetation precinct plan) to reflect the intent of the native vegetation and biodiversity reform package; and</td>
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<td>• 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.</td>
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<td>• 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 – 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>C33</td>
<td>16 JAN 2014</td>
<td>Renames the Rural Floodway Overlay to the Floodway Overlay; modifies planning scheme maps to reflect updated flood information (except for urban zoned land in Port Albert); introduces new schedules to exempt minor buildings and works from having to obtain a planning permit.</td>
</tr>
<tr>
<td>C81</td>
<td>13 MAR 2014</td>
<td>The amendment inserts a schedule into the BMO in the Wellington Planning Scheme to facilitate the reconstruction of houses that were destroyed in the 2013 fires.</td>
</tr>
<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</td>
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<td>Amendment number</td>
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<td>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>
</tr>
<tr>
<td>C74</td>
<td>10 APR 2014</td>
<td>Implements the Industrial Land Strategy: Yarram Maffra and Stratford by updating the Municipal Strategic Statement and rezoning land in Yarram and Maffra.</td>
</tr>
<tr>
<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>
</tr>
<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>- Requiring applications for warehouse and industry uses to be to the Metropolitan Planning Authority (for applications within metropolitan Melbourne) or the Department of Transport, Planning and Local Infrastructure (for applications outside metropolitan Melbourne) referred in accordance with section 55 of the Planning and Environment Act 1987 (the Act).</td>
</tr>
</tbody>
</table>

The Amendment also amends Clause 66 – Referral and Notice Provisions to replace “Growth Areas Authority” with “Metropolitan Planning Authority” to reflect the creation of the new planning authority.
<table>
<thead>
<tr>
<th>Amendment number</th>
<th>In operation from</th>
<th>Brief description</th>
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<tbody>
<tr>
<td>C55(Part 1)</td>
<td>1 MAY 2014</td>
<td>The amendment modifies the local planning policy framework to recognise local landscape character units and rezones 72 parcels of land north of Dargo to Farming Zone and Public Conservation and Resource Zone.</td>
</tr>
<tr>
<td>VC106</td>
<td>30 MAY 2014</td>
<td>The Victoria Planning Provisions (VPP) and all planning schemes are amended to recognise Plan Melbourne 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 Melbourne 2030 and Melbourne 2030: A planning update Melbourne @ 5 Million (Department of Planning and Community Development, 2008) to be disregarded and requires planning and responsible authorities to consider and apply Plan Melbourne.</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 Melbourne 2030, and introducing new clauses 11.04-1 to 11.04-6 which set out objectives and strategies taken from the vision in Plan Melbourne. 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 Melbourne 2030, Melbourne 2030: A planning update Melbourne @ 5 Million, the Activity Centres and Principal Public Transport Network Plan, 2010 and Ready for Tomorrow – a Blueprint for Regional and Rural Victoria 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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<tr>
<td></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>
</tr>
<tr>
<td>C91</td>
<td>13 JUN 2014</td>
<td>Replaces the Residential 1 Zone with the General Residential Zone. Corrects the commercial zone annotations on the planning scheme maps.</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 Zone from the VPP and 6 planning schemes; deletes Clause 32.06 - Residential 3 Zone from the VPP and 3 planning schemes; amends Clause 32.08 - General Residential Zone to include the following words “shown on the planning scheme map as GRZ, R1Z, R2Z and R3Z with a number (if shown)” in the VPP and 59 planning schemes; amends Clause 43.03 – Incorporated Plan Overlay to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 24 planning schemes; amends Clause 43.04 –</td>
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<td>Amendment number</td>
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<td>Development Plan Overlay to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 71 planning schemes; amends Clause 43.05 – Neighbourhood Character Overlay to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 14 planning schemes; amends Clause 57 to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 17 planning schemes; changes the Ararat, Ballarat, Banyule, Brimbank, Darebin, Greater Geelong, Greater Shepparton, Knox, Latrobe, Maribyrnong, Moonee Valley, Moorabool, Moreland, Nillumbik, Port Phillip, Southern Grampians, Whitehorse and Yarra planning schemes by introducing Clause 32.08 - General Residential Zone and inserting Schedules to the General Residential Zone which replicate Schedules for any of the deleted Residential 1, Residential 2 and Residential 3 Zones; changes the Cardinia, Frankston, Greater Geelong, Kingston, Melton, Mornington Peninsula and Whittlesea planning schemes by inserting or amending Schedules to the General Residential Zone to replicate Schedules for any of the deleted Residential 1, Residential 2 and Residential 3 Zones.</td>
</tr>
<tr>
<td>GC3</td>
<td>3 JUL 2014</td>
<td>The amendment inserts a schedule into the BMO to streamline decision making for the development of a lot with a single dwelling on land affected by the amendment.</td>
</tr>
</tbody>
</table>
| VC109            | 31 JUL 2014      | The amendment changes the Victorian Planning Provisions (VPP) and all Victorian planning schemes by amending:  
  - 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.  
  - 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.  
  - 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.  
  - Clause 52.48 ‘Bushfire Protection: Exemptions’ to provide exemptions for the provision of defendable space for a dwelling approved under the BMO.  
  - 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. |
| VC113            | 31 JUL 2014      | The amendment changes the Victoria Planning Provisions (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. |
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.
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<th>Amendment number</th>
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<tr>
<td></td>
<td></td>
<td>• 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.</td>
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<td>• Introducing a new Clause 95 which sets out the information requirements and decision guidelines for each class of local VicSmart application.</td>
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<td>• 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.</td>
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<td>• 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.</td>
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<td>The amendment changes the Ballarat Planning scheme by:</td>
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<td>• 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).</td>
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<td></td>
<td>• Introducing a schedule to Clause 95 to create information requirements and decision guidelines for the local VicSmart classes of application.</td>
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<td>The amendment changes the Greater Geelong Planning scheme by:</td>
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<td>• Introducing a schedule to Clause 94 to create additional local VicSmart classes of application for the following applications under the Activity Centre Zone:</td>
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<td>• Boundary realignment</td>
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<td>• Subdivision of an existing building or car space</td>
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<td>• Subdivision of land into two lots</td>
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<td></td>
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<td>• Buildings and works up to $250,000</td>
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<td>• Advertising signs</td>
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<td>• Reducing car parking spaces</td>
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<td>• Licensed premises.</td>
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<td></td>
<td>• Introducing a schedule to Clause 95 to create information requirements and decision guidelines for the local VicSmart classes of application:</td>
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<td>• Buildings and works up to $250,000</td>
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<td>• Licensed premises.</td>
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<td>• The State information requirements and decision guidelines set out in Clause 93 are used for the other local VicSmart classes of application.</td>
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<tr>
<td>C89</td>
<td>16 OCT 2014</td>
<td>Facilitates a greyhound racing facility on the Sale – Maffra Road. Sale rezoning the land from Farming Zone and Residential 1 Zone to a Special Use Zone. It deletes a redundant Development Plan Overlay, applies a new Development Plan Overlay, and updates</td>
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<td>local policy. It includes a planning permit to re-subdivide the land.</td>
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<tr>
<td>C82</td>
<td>13 NOV 2014</td>
<td>Introduces and applies Schedule 5 to the Rural Living Zone and rezones 69 Andrews Road, Longford. Introduces and applies Schedule 6 to the Development Plan Overlay to the land being rezoned.</td>
</tr>
<tr>
<td>VC123</td>
<td>13 NOV 2014</td>
<td>The amendment changes the Victoria Planning Provisions and most 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>
</tr>
<tr>
<td>C72</td>
<td>4 DEC 2014</td>
<td>Implements the recommendations of the Heyfield Structure Plan, December 2011 and the Firebrace Road (Heyfield) Strategic Update, August 2013. Introduces two new special use zones and a revised design and development overlay.</td>
</tr>
<tr>
<td>C83</td>
<td>15 JAN 2015</td>
<td>Rezones Crown Allotments 38 and 41, Parish of Glencoe, to Rural Living Zone, (Schedule 1), and grants a planning permit to subdivide the land.</td>
</tr>
<tr>
<td>VC124</td>
<td>2 APR 2015</td>
<td>The amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:</td>
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<td>- 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).</td>
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<td>- 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.</td>
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<td>- Amending Clause 52.32 ‘Wind Energy Facility’ to</td>
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<td>- 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)</td>
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<td>- clarify the application of the one kilometre rule to applications for minor amendments to existing permits</td>
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<td>- reference the updated Guidelines.</td>
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|                  |                  | - Amending Clause 61.01-1 ‘Minister is the Responsible Authority’ to make the Minister for Planning the responsible
<table>
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<th>Amendment number</th>
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| 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. |
| 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. |
| 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. |
| C86              | 15 OCT 2015      | Amends Clauses 21.10 & 21.20 introducing the recommendations of the Rosedale Structure Plan, 7 August 2012. Rezones PCA:14 SEC: 3A and 2191 Princes Highway in Rosedale from Industrial 1 Zone to Rural Activity Zone and remove the Design and Development Overlay, schedule 1 from that land. Rezones land in Prince Street, Rosedale from Commercial 2 Zone to Commercial 1 Zone. Rezones 15 Albert Street in Rosedale from Public Park and Recreation Zone to General Residential Zone 1. Rezones land Cansick Street and PCA: 9 SEC: 5 on Hood Street in Rosedale from General Residential Zone 1 to Public Park and Recreation Zone. Rezones 25 Duke Street in Rosedale from Public Use Zone 7 to General Residential Zone 1. Rezones 17 Cansick Street and Lot 1 PS438121V Hood Street Rosedale from Public Use Zone 1 to Mixed Use Zone. Rezones 5-13 Cansick Street in Rosedale from Commercial 1 Zone to Mixed Use Zone. Amends the Design and Development Overlay 1 on 40 Willung Road in Rosedale to align...
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<th>Amendment number</th>
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<tr>
<td>VC101</td>
<td>29 OCT 2015</td>
<td>The Amendment:</td>
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<td>• Removes the following reference documents from the VPP and all planning schemes:</td>
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<td>• A Vision for Victoria to 2010; Growing Victoria Together (Department of Premier and Cabinet, 2005) from Clause 11 (Settlement);</td>
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<td>• Alpine Development Code 1997 from Clause 12 (Environmental and Landscape Values) and from Clause 21.03 (Key planning strategies) in the Alpine Planning Scheme;</td>
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<td>• Growing Victoria Together (Department of Premier and Cabinet, 2001) from Clause 11 (Settlement); and</td>
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<td>• Ready for Tomorrow – a Blueprint for Regional and Rural Victoria (State Government of Victoria, 2010) from Clause 14 (Natural resource management).</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 Apiary Code of Practice (May 1997) to Apiary Code of Practice (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 Alpine Resorts 2020 Strategy to Alpine Resorts Strategic Plan (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 Code of Practice for Fire Management on Public Land, (Department of Sustainability and Environment, 2006) to Code of Practice for Bushfire Management on Public Land (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 Code of Practice for Timber Production (Department of Sustainability and Environment, 2007) to Code of Practice for Timber Production (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...</td>
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Amendment number | In operation from | Brief description
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documents incorporated in this scheme);

- 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);


- 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.

- Makes a number of corrections, clarification and updates to the VPP and all planning schemes including:
  - Updating Clause 19 (Infrastructure) and 52.32 (Wind Energy Facility) to insert the publication information for the Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria;
  - Updating Clause 52.06 (Car parking) to remove a double reference to the car parking demand assessment;
  - 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;
  - Updating Clause 52.36 (Integrated public transport planning) and Clause 66 (Referral and notice provisions) to ensure the Public Transport Development Authority is referred to by its correct legal title (rather than Public Transport Victoria);
  - Updating Clause 62.01 (Uses, buildings, works, subdivisions and demolition not requiring a permit) correct the name of the Urban Floodway Zone; and
  - Updating Clause 63.07 (Compliance with codes of practice) to remove the repealed Section 55 of the Conservation Forests and Lands Act 1987.

- Makes a number of corrections, clarifications and updates to some planning schemes including:
  - Updating Schedule 3 to Clause 37.01 (Special Use Zone) in the Maribyrnong Planning Scheme to correct an error in the land description; and
  - Updating the schedules to Clause 61.03 (What does this scheme consist of?) in the Banyule, Baw Baw, Boroondara, Campaspe, Casey, Greater Dandenong, Greater Shepparton, Manningham, Melbourne, Monash, and Wodonga planning schemes to ensure the Parking Overlay maps are referenced.

- Updates government department names to their current titles as a result of machinery of government changes in the VPP User Guide, Clause 12 (Environmental and landscape values), Clause 14 (Natural resource management), Clause 36.03
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<tr>
<td>VC107</td>
<td>26 NOV 2015</td>
<td>The Amendment makes changes to the Victoria Planning Provisions (VPP) and all planning schemes by:</td>
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<td></td>
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<td>• 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);</td>
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<td>• Amending Clause 52.32 (Wind energy facility) to reference the updated guidelines and make changes to wording;</td>
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<td>• 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</td>
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<td>• Amending Clause 74 (Land Use Terms) to change the definition of 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 Environ Overlay) and Clause 45.08 (Melbourne Airport Environ Overlay) to replace reference to Australian Standard AS 2021-2000, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, with the 2015 revision issued by Standards Australia Limited; and</td>
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<td>• Amending schedules to Clause 81.01 in some planning schemes applying an Airport Environ Overlay or Melbourne Airport Environ Overlay to update the list of incorporated documents to replace reference to Australian Standard AS 2021-2000, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, with the 2015 revision issued by Standards Australia Limited.</td>
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<td>Amendment number</td>
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<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>C94</td>
<td>14 JAN 2016</td>
<td>The amendment inserts Clause 32.07 - Residential Growth Zone into the Wellington Planning Scheme; inserts a new schedule 1 to Clause 32.07 - Residential Growth Zone; rezones four lots from General Residential Zone to Residential Growth Zone, Schedule 1; rezones 2 land parcels from Public Use Zone 7 to Residential Growth Zone, Schedule 1 and one parcel of Council owned land from General Residential Zone, Schedule 1 to Public Park and Recreation Zone.</td>
</tr>
</tbody>
</table>
| VC126            | 28 JAN 2016     | The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:  
  - Amending Clause 52.32 (Wind energy facility) to:   
    - 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),  
    - 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,  
    - 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  
    - make minor corrections.  
  - 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).  
  - 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). |
| VC127            | 4 FEB 2016      | The Amendment changes the Victoria Planning Provisions and all planning schemes by:  
  - Amending Clauses 11 (Settlement), 12 (Environmental and Landscape Values) and 13 (Environmental Risks) of the State Planning Policy Framework to update reference to the Victorian Coastal Strategy (Victorian Coastal Council, 2008) with reference to the 2014 version.  
  - Amending Clause 52.23 (Shared Housing) to clarify that only the use of land and not development is exempt from a permit under the provision.  
The Amendment changes the Bass Coast, Bayside, Colac-Otway, Corangamite, East Gippsland, Frankston, French Island and Sandstone Island, Glenelg, Greater Geelong, Hobsons Bay, Kingston, Mornington Peninsula, Moyne, Port Phillip, Queenscliffe,
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<td>C93</td>
<td>11 FEB 2016</td>
<td>Warnambool, Wellington and Wyndham Planning Schemes by amending any local policies that refer to any outdated Victorian Coastal Strategy with reference to the 2014 version. Amends Clauses, 21.05, 21.14, 21.20, 22.03, 22.05, amends Schedule 1 of Clause 37.01, Schedules 1, 2 &amp; 8 of Clause 42.01, Schedule to Clause 43.01, Schedules 1 &amp; 5 to Clause 43.04, Schedule to Clause 45.01 and the Schedule to Clause 51.03; Deletes the Development Plan Overlay, Schedule 1 from 52 parcels of land at Longford; Deletes Heritage Overlays HO16 &amp; HO217; Deletes the Design &amp; Development Overlay - Schedule 1 from Lot 1 TP123438 and deletes the Development Plan Overlay – Schedule 1 from Lots 1 &amp; 2 TP752498 and Lots 1 &amp; 2 TP612816; Deletes Public Acquisition Overlay 7 from Lot 2 PS406453; Amends boundary of the Design &amp; Development Overlay at Foster &amp; Macalister Street Sale to correlate with the Commercial 2 Zone; Removes Lot 1 PS713660 from the Land Subject to Inundation Overlay; Rezones Crown Allotment 3B, Sec 11, Parish of Sale to Public Conservation and Resource Zone and rezones Lots 1 TP123438, Lot 1 TP429060 &amp; Lot 1 847499 to Farming Zone; Rezones PC625055P &amp; Lot 1 TP812776 to Township Zone; Rezones PC374959 to Commercial 2 Zone; Rezones Lot S2 PS708809 to Rural Living Zone 2 and applies Development Plant Overlay – Schedule 1; Rezones Crown Allotment 2028, Parish of Sale to Public Use Zone 7; Amends the Incorporated Document Sale Residential Heritage Precinct Permit Exemptions to correct an error in the Lake Guthridge Heritage Precinct map.</td>
</tr>
<tr>
<td>C85</td>
<td>24 MAR 2016</td>
<td>Rezones land known as part of Crown Allotment 2, Section 4, Parish of Sale, Stevens Street, Sale from Farming Zone to Neighbourhood Residential Zone, Schedule 1, inserts Clause 32.09 Neighbourhood Residential Zone and a new Schedule 1, inserts a new Schedule 22 to the Design and Development Overlay and applies it to the rezoned land and deletes part of the Land Subject to Inundation Overlay from the land.</td>
</tr>
<tr>
<td>C88</td>
<td>24 MAR 2016</td>
<td>Rezones part of land at 74 Stevens Street, Sale from Farming Zone to Neighbourhood Residential Zone, Schedule 1, amends the Schedule 1 to the Neighbourhood Residential Zone, amends Schedule 22 to the Design and Development Overlay and applies it to the rezoned land and extends the Land Subject to Inundation Overlay to include additional land.</td>
</tr>
<tr>
<td>C80</td>
<td>5 MAY 2016</td>
<td>Rezones land at 2-22 Calladale Court and 19-27 Gormandale-Stradbroke Road, Gormandale from the Rural Living Zone 2 to the Township Zone, and makes a minor correction to Schedule 22 to the Design and Development Overlay.</td>
</tr>
<tr>
<td>C87</td>
<td>12 MAY 2016</td>
<td>Implements the vision for Longford as set out in the Longford Development Plan, November 2015 by amending Clause 21.05 (Sale, Wurruk and Longford Strategic Framework) and Clause 21.20 (Reference Documents).</td>
</tr>
<tr>
<td>C95</td>
<td>9 JUN 2016</td>
<td>The amendment implements recommendations of the Port Albert Rural Residential Lifestyle Lots Review, December 2014 and Port Albert Planning Controls Review, June 2014 by rezoning nominated land to the Rural Living Zone, Low Density Residential Zone and Rural Activity Zone, and making associated changes to</td>
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<td>Amendment number</td>
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<tr>
<td>VC130</td>
<td>4 JUL 2016</td>
<td>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by amending Clause 52.32 (Wind energy facility) to delete clause 52.32-8.</td>
</tr>
<tr>
<td>VC131</td>
<td>24 NOV 2016</td>
<td>The amendment changes the Victoria Planning Provisions 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 Mobile Black Spot Programme from the notice and review requirements of the Planning and Environment Act 1987.</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, “garden area” 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 Victoria Planning Provisions 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>
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<tr>
<td>VC136</td>
<td>13 APR 2017</td>
<td>Amendment VC136 introduces state-wide planning requirements for apartment developments. The Amendment changes the Victoria Planning Provisions (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 of 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 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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<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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<td>- Specify application requirements for an apartment development.</td>
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<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>C51</td>
<td>22 JUN 2017</td>
<td>The Amendment amends various provisions of the Wellington Planning Scheme to correct mapping anomalies and grammatical errors and to delete redundant controls.</td>
</tr>
<tr>
<td>C90</td>
<td>13 JUL 2017</td>
<td>The Amendment rezones land in Precincts 3 and 11 as identified in the Longford Development Plan, November 2015 from the Farming Zone to the Township Zone and the Rural Living Zone Schedule 5 respectively, inserts Development Plan Overlay Schedule 10 and applies the overlay to the rezoned land, and corrects a mapping anomaly and an error in Residential Growth Zone Schedule 1.</td>
</tr>
<tr>
<td>C92(Part 1)</td>
<td>13 JUL 2017</td>
<td>The Amendment implements the findings of the Wellington Shire Stage 2 Heritage Study, September 2016 by applying Clause 43.01 Heritage Overlay to 66 heritage places in Wellington Shire, amending the Schedule to Clause 43.01 to include entries for 65 new heritage places and amend the entry for one heritage place, correcting a mapping anomaly affecting two heritage places, amending Clauses 21.20 and 22.03 of the Local Planning Policy Framework to include the study as a policy reference, amending the Schedule to Clause 61.03 to include new Planning Scheme Maps, and amending the Schedule to Clause 81.01 to include the new incorporated document titled ‘Wellington Shire Stage 2 Heritage Study, Volume 2: Citations, September 2016’.</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>
</tbody>
</table>
| VC139            | 29 AUG 2017      | The amendment:  
- Introduces new planning requirements for racing dog keeping and training facilities;  
- Introduces new guidelines for apartment developments;  
- 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  
- Introduces a new State planning policy for Healthy neighbourhoods. |
| VC132            | 19 SEP 2017      | 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. |
| GC13             | 3 OCT 2017       | The Amendment updates the mapping and ordinance for the Bushfire Management Overlay across Victoria by:  
- Inserting updated BMO maps into 64 planning schemes.  
- Inserting schedules to Clause 44.06 in 47 planning schemes  
- Deleting redundant references to the Wildfire Management Overlay (WMO)  
- Deleting the BMO (maps and ordinance) in some areas where
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<td>the vegetation no longer meets the criteria as set out in Advisory Note 46.</td>
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<td>• Amending schedules to clause 61.03 for planning schemes to update the maps listed in the scheme.</td>
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<tr>
<td>C92(Part 2)</td>
<td>26 OCT 2017</td>
<td>The Amendment applies the Heritage Overlay to the Federal Coffee Palace (former) at 303-305 Commercial Road, Yarram, replaces the incorporated document 'Wellington Shire Stage 2 Heritage Study, Volume 2: Citations, September 2016' with 'Wellington Shire Stage 2 Heritage Study, Volume 2: Citations, September 2016 (amended August 2017)' to make corrections to the citation for this place, and updates Clause 21.20 and Clause 22.03 to reflect this change.</td>
</tr>
<tr>
<td>C98</td>
<td>2 NOV 2017</td>
<td>The Amendment rezones land adjoining the eastern and western extents of the West Sale Airport from Farming Zone to Special Use Zone 1, rezones land north of the runway from Special Use Zone 1 to Farming Zone, amends the Special Use Zone 1 to introduce a permit exemption for works associated with the runway extension, deletes the existing Airport Environs Overlay Schedule 1 and Schedule 2 and applies an updated Airport Environs Overlay Schedule 1 and Schedule 2 to reflect the West Sale Airport 2037 Standard Australian Noise Exposure Forecast (Air Services Australia endorsed 26 June 2017), and updates references to West Sale Airport Master Plan Update 2017 and references to the West Sale Airport (formerly the West Sale Aerodrome) at Clause 21.05, Clause 21.17, Clause 21.20 and Clause 22.05.</td>
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<tr>
<td>VC141</td>
<td>21 NOV 2017</td>
<td>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:</td>
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<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>
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<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>
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<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>
</tr>
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<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</td>
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<tr>
<td>VC138</td>
<td>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 <em>Protecting Victoria’s Environment - Biodiversity 2037</em>.</td>
</tr>
</tbody>
</table>
| VC140            | 12 DEC 2017      | 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:  
  - Inserting an updated State Planning Policy Framework at *Clause 10 Operation of the State Planning Policy Framework*  
  - Inserting an updated State Planning Policy Framework at *Clause 13 Environmental Risks* |
| C96              | 21 DEC 2017      | The Amendment rezones land at Burnett Court (CA188B1) and Draper Road (Lots 1,2 and 3 PS 344819Y, PTL 2 PS 344819Y, Lots 4 and 5 310433), Heyfield, to the Low Density Residential Zone, deletes the Development Plan Overlay Schedule 1 from the land in Burnett Court, applies and inserts a new Development Plan Overlay Schedule 11 to the land in Draper Road, amends the Municipal Strategic Statement at Clause 21.08 to reflect the above changes and to align with the updated Local Planning Policy Framework formatting, and amends Clause 21.20 to include the Heyfield Low Density Residential Land Supply Study (March 2017) as a reference document. |
| C97              | 21 DEC 2017      | The amendment rezones land at Park Street and Foster Street, Sale, to Public Use Zone 1 - Service and Utility (PUZ1) and deletes Design Development Overlay Schedule 2 (DD02) to facilitate the construction of a new sewerage pump station. The amendment also rezones adjacent public land to Public Park and Recreation Zone and Public Conservation and Resource Zone. |
| VC142            | 16 JAN 2018      | 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. |
| VC144            | 27 FEB 2018      | The Amendment changes the Victoria Planning Provisions and all planning schemes by:  
  - Amending Clause 52.05 (Advertising signs) to:  
    - 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  
    - increase the size of the permitted maximum advertisement area of a ‘promotion sign’ in Section 2 of Category 3 from two to three square metres. |
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|                  |                   | ▪ Amending Clauses 52.05 and 73 to replace the term ‘home occupation’ with ‘home based business’.  
▪ Correcting minor errors in Clauses 52.05 and 62.  
| VC145            | 28 MAR 2018       | The amendment amends the Victorian Planning Provisions (VPP) and all planning schemes by:  
▪ Amending Clause 11.05-2 – *Distinctive areas of state significance*, to reference the Yarra Ranges Localised Planning Statement;  
▪ Amending Clause 43.01 – *Heritage Overlay*, to reinstate administrative corrections that were made in Amendment VC132 but inadvertently removed by Amendment VC141;  
▪ 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  
▪ 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). |
| C84              | 19 APR 2018       | The Amendment rezones the Wurruk Growth Area, as identified in the Sale, Wurruk and Longford Structure Plan (2010) to the General Residential Zone 1 and Low Density Residential Zone, removes the Development Plan Overlay Schedule 1 from the land, amends the Heritage, Flood and Land Subject to Inundation Overlays, and applies the Development Plan Overlay Schedule 9 to all rezoned land. |
| VC143            | 15 MAY 2018       | The Amendment changes the Victoria Planning Provisions and all planning schemes by:  
▪ 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.  
▪ 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.  
▪ Amending Clauses 32.08-3 (General Residential Zone) and 32.09-3 (Neighbourhood Residential Zone) to:  
  ▪ Exclude the creation of a vacant lot of 400 square metres or greater from the minimum garden area requirement.  
  ▪ Clarify that the minimum garden area requirement does not apply to:  
  ▪ The creation of a vacant lot less than 400 square metres where there is a precinct structure plan or equivalent strategic plan.  
  ▪ The creation of a vacant lot less than 400 square metres where there is an incorporated plan or approved development plan.  
  ▪ The creation of a vacant lot less than 400 square metres where there is an approved residential development.  
▪ Amending clauses 32.08-4 (General Residential Zone) and 32.09-4 (Neighbourhood Residential Zone) to: |
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<tr>
<td>VC146</td>
<td>15 MAY 2018</td>
<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>• A medium density housing site in an incorporated plan or approved development plan.</td>
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<td>• An existing building that did not meet the minimum garden area requirement prior to approval of Amendment VC110.</td>
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<td>Amending the Garden area definition at Clause 72 (General Terms) to provide greater clarity about garden area inclusions and exclusions.</td>
</tr>
<tr>
<td>VC148</td>
<td>31 JUL 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>
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<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 (LPFF) to new Clauses 23.02 and 23.03 and inserting a new Clause 23.01 to explain the relationship between the LPFF 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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|                  |                  | • Amending Clause 43.04 (Development Plan Overlay) to clarify when an application is exempt from the notice and review.
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<td>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) that consolidates operational, administrative and other provisions.</td>
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<td>• 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).</td>
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<td>• 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.</td>
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<td>• 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’.</td>
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<td>• 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’</td>
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<td>• Deleting Clause 52.12 (Service station).</td>
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<td>• Amending Clauses 33.01 (Industrial 1 Zone) and 32.04 (Mixed Use Zone) to ensure impacts of service stations are considered.</td>
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<td>• Deleting Clauses 52.13 (Car wash) and 52.14 (Motor vehicle, boat or caravan sales).</td>
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<td>• Amending Clause 52.06 (Car parking) to change the planning permit requirements and number of spaces to be provided in certain circumstances.</td>
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<td>• Introducing incorporated document Principal Public Transport Network Area Maps (State Government of Victoria, 2018).</td>
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<td>• 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.</td>
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<td>• Making consequential changes to the schedules of applicable particular provisions in planning schemes, including inserting new schedules.</td>
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<tr>
<td>VC151</td>
<td>6 AUG 2018</td>
<td>The amendment corrects obvious and technical errors in the Victoria Planning Provisions and all planning schemes by replacing the incorporated document Principal Public Transport Network Area Maps (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>C101</td>
<td>16 AUG 2018</td>
<td>The Amendment deletes the Public Acquisition Overlay (PAO1) and rezones land to Road Zone Category 1 from east of Wrights Lane, Flynn to east of Maffra Rosedale Road, Kilmany, in association with the Princes Highway duplication project.</td>
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<td>Amendment number</td>
<td>In operation from</td>
<td>Brief description</td>
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<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>
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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>
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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>
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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 Scheme.</td>
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<td>- 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.</td>
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<td>- Rezones part Lot 1 TP878331 &amp; 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.</td>
</tr>
<tr>
<td>VC147</td>
<td>14 SEP 2018</td>
<td>The amendment makes administrative changes to the Victoria Planning Provisions (VPP) and all planning schemes by:</td>
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<td></td>
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<td>- Making style, format and technical changes to improve presentation and operation;</td>
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<td>- Correcting inconsistencies and clerical errors; and</td>
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<td>- 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.</td>
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<td>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.</td>
</tr>
<tr>
<td>VC150</td>
<td>21 SEP 2018</td>
<td>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:</td>
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<tr>
<td></td>
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<td>- Introducing clear land use definitions and risk-based planning controls for animal industries;</td>
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<td>- Removing the Piggeries Code of Practice 1992;</td>
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<td>- Referencing the 2018 amendments to the Victorian Code for Broiler Farms 2009;</td>
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<td>to implement actions outlined in the Victorian Government’s Planning for Sustainable Animal Industries report.</td>
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<td>C104</td>
<td>27 SEP 2018</td>
<td>The Amendment removes redundant coal protection controls from land in Gormandale, and makes minor changes to Clause 21.15-3 Coal Resources by updating references for Category A, B and C coalfields and replacing the Gippsland Coalfields Map with an updated map.</td>
</tr>
<tr>
<td>VC149</td>
<td>4 OCT 2018</td>
<td>The Amendment changes the Victoria Planning Provisions (VPP) by inserting a new Commercial 3 Zone at Clause 34.03.</td>
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<tr>
<td>Amendment number</td>
<td>In operation from</td>
<td>Brief description</td>
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| VC153            | 4 OCT 2018       | 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 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  
|                  |                  | • amend Clause 35.08 (Rural Activity Zone) to delete the reference to ‘Backpackers’ lodge’  
|                  |                  | • amend Clause 37.07 and Clause 52.34 (Bicycle facilities) to delete references to ‘Nursing home’  
|                  |                  | • amend Clause 52.06 (Car parking) to specify a car parking rate for a ‘Rooming house’  
|                  |                  | • delete Clause 52.22 (Crisis accommodation) and Clause 52.23 (Shared housing) and replace them with a new Clause 52.22 (Community care accommodation) and Clause 52.23 (Rooming house)  
|                  |                  | • delete Clause 52.24 (Community care unit)  
|                  |                  | • amend Clause 53.06 (Live music and entertainment noise) to include ‘Community care accommodation’ and ‘Rooming house’, and delete ‘Boarding house’ and ‘Nursing home’, in the definition of noise sensitive residential uses  
|                  |                  | • insert a new particular provision at Clause 53.17 (Residential aged care facility)  
|                  |                  | • amend Clause 73.03 (Land use terms) and Clause 73.04 (Nesting diagrams) to introduce ‘Community care accommodation’ and ‘Rooming house’ land uses, nest ‘Residential aged care facility’ under ‘Accommodation’, and delete ‘Backpackers’ lodge’, ‘Boarding house’, ‘Hostel’, ‘Nurses’ home’, ‘Nursing home’ and ‘Residential college’ land uses. |
| VC154            | 26 OCT 2018      | Amendment VC154 changes the Victoria Planning Provisions and all planning schemes by:  
|                  |                  | • Deleting Clause 14.02-3S (Water conservation) and integrating these policy statements into a new Clause 19.03-3S (Integrated water management).  
<p>|                  |                  | • Amending Clause 19.03-3S (Water supply, sewerage and drainage) to update and broaden water, drainage and stormwater policies to integrated water management policies. |</p>
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<th>Amendment number</th>
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<th>Brief description</th>
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| VC155            | 26 OCT 2018       | Amendment VC155 amends the Victoria Planning Provisions and all planning schemes by:  
• Amending Clause 15.03-1S (Heritage conservation) to include an additional strategy and policy guideline.  
• Amending Clauses 54.03-5 (Energy efficiency protection), 55.03-5 (Energy efficiency) and 55.07-1 (Energy efficiency) to replace the word ‘capacity’ with ‘performance’ and specify that a rooftop solar energy facility must exist at the time an application is lodged. |
| GC111            | 1 NOV 2018        | The Amendment makes administrative changes to all local policy and local schedules of each planning scheme by:  
• making style, format and technical changes to improve presentation and operation  
• correcting inconsistencies and clerical errors  
changing the operation of amendment date stamps located next to clause numbers |