PURPOSE AND VISION

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

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

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

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

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

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

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

Objective

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

Strategies

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

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


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

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

Create and reinforce settlement boundaries.

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

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

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

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

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

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

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

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

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

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

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

**Policy documents**

Consider as relevant:

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

Strategies

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

- Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan (1996)
Supply of urban land

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

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

Ensure that sufficient land is available to meet forecast demand.

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

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

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

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

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

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

Objective
To facilitate the orderly development of urban areas.

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

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

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

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

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

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

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

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

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

Support opportunities to co-locate facilities.

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

Give clear direction on preferred locations for investment.

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

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

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

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

Encourage economic activity and business synergies.

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

Policy documents
Consider as relevant:

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

Strategies

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

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

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

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

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

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

Strategies
Concentrate urban expansion into growth areas that are served by high-capacity public transport.
Implement the strategic directions in the Growth Area Framework Plans.
Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.
Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.
Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.
Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.
Provide a diversity of housing type and distribution.
Retain unique characteristics of established areas impacted by growth.
Protect and manage natural resources and areas of heritage, cultural and environmental significance.
Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.
Develop Growth Area Framework Plans that will:
- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.
Develop precinct structure plans consistent with the Precinct Structure Planning Guidelines (Growth Areas Authority, 2009) approved by the Minister for Planning to:
- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.
Provide better transport choices.

- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

**Policy documents**

Consider as relevant:

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

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

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

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

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

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective
To plan for sustainable coastal development.

Strategies
Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.
Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.
Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.
Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.
Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.
Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.
Avoid linear urban sprawl along the coastal edge and ribbon development in rural landscapes.
Protect areas between settlements for non-urban use.
Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.
Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.
Ensure a sustainable water supply, stormwater and sewerage treatment for all development.
Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Policy documents
Consider as relevant:
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *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.

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)
- *Healthy Waterways Strategy* (Melbourne Water, 2013)

Yarra River protection

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

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

- Protecting the river’s riparian vegetation, natural riverbank topography and flood management capacity.

- Ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.

- Protecting and enhancing both terrestrial and aquatic habitats and their linkages along the river corridor.

Promote a sense of place and landscape identity by:

- Retaining a dominant and consistent tree canopy along the river corridor and in its broader landscape setting.

- Ensuring that the appearance of development is subordinate to the local landscape setting, with any views of development being filtered through vegetation.

Retain and enhance people’s enjoyment of the river and its environment by:
• Planning for the river and its environs as a recreation and tourism resource.

• Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.

• Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year-round.

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

• Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself.

• Ensuring that the siting and design of buildings avoids conflicting with the local natural landscape and environmental character.

• Ensuring building height is below the natural tree canopy and all development is set back a minimum of 30 metres from the banks of the river.

Policy documents

Consider as relevant:

• *Middle Yarra River Corridor Study - Recommendations Report* (Department of Environment, Land, Water and Planning, 2016)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

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

Objective

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

Strategies

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

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

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

Policy application

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

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

Objective

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

Strategies

Protection of human life

Give priority to the protection of human life by:

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

Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

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

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

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

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

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

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

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

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

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

**Areas of biodiversity conservation value**

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

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

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

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

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

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

**Policy guidelines**

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

**Policy documents**

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

Objective
To assist the protection of:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

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

Prevent inappropriate development in areas affected by groundwater salinity.

Policy guidelines
Consider as relevant:

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

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

Policy documents
Consider as relevant:

Noise abatement

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

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

Policy documents
Consider as relevant:

- *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2*
Air quality management

Objective
To assist the protection and improvement of air quality.

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

Strategy

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

Objective
To encourage sustainable agricultural land use.

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

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

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

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

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*
Water quality

Objective
To protect water quality.

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

Develop and maintain buffers around mining and quarrying activities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Promote good urban design along and abutting transport corridors.

Policy documents
Consider as relevant:

Urban design - Metropolitan Melbourne

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

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

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

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

Policy documents
Consider as relevant:

Subdivision design

**Objective**

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

**Strategies**

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

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

**Policy documents**

Consider as relevant:

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

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

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

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

Policy documents
Consider as relevant:

Healthy neighbourhoods - Metropolitan Melbourne

Strategy

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

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

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

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

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

Objective
To ensure development respects valued areas of rural character.

Strategies
Ensure that the siting, scale and appearance of development protects and enhances rural character.

Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.

Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.
Energy and resource efficiency

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

Strategies
Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.
Promote consolidation of urban development and integration of land use and transport.
Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.
Support low energy forms of transport such as walking and cycling.
Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.
Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.
Heritage conservation

Objective
To ensure the conservation of places of heritage significance.

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- *Aboriginal Heritage Act 2006*
HOUSING

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

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

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

Objective
To promote a housing market that meets community needs.

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

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

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

Facilitate the delivery of high quality social housing.

Policy documents
Consider as relevant:

Integrated housing - Metropolitan Melbourne

Strategies

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

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

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

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

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

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

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

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

Direct new housing to areas with appropriate infrastructure.
Housing diversity

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

Strategies
Ensure housing stock matches changing demand by widening housing choice.
Facilitate diverse housing that offers choice and meets changing household needs through:
- A mix of housing types.
- Adaptable internal dwelling design.
- Universal design.
Encourage the development of well-designed medium-density housing that:
- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure.
- Improves energy efficiency of housing.
Support opportunities for a range of income groups to choose housing in well-serviced locations.
Ensure planning for growth areas provides for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.
Housing diversity - Metropolitan Melbourne

Strategy

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

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

Strategies
Improve housing affordability by:

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

Increase the supply of well-located affordable housing by:

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

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

Policy documents
Consider as relevant:

Rural residential development

Objective
To identify land suitable for rural residential development.

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

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

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

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

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

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

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

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

Encourage planning for housing that:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

Objective
To strengthen and diversify the economy.

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

Strategies

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

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

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

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

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

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

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

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

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

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

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

Strategies
Plan for an adequate supply of commercial land in appropriate locations.
Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
Locate commercial facilities in existing or planned activity centres.
Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.
Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.
Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.
Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.
Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leaseable floor area.
Out-of-centre development

Objective
To manage out-of-centre development.

Strategies
Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.
Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.
Discourage large sports and entertainment facilities of metropolitan, state or national significance in out-of-centre locations unless they are on the Principal Public Transport Network and in locations that are highly accessible to their catchment of users.
Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.
Industrial land supply

Objective
To ensure availability of land for industry.

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

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

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

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

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

Objective
To facilitate the sustainable development and operation of industry.

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

Objective
To protect industrial land of state significance.

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

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

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

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

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

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

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

Policy documents
Consider as relevant:
Tourism in Metropolitan Melbourne

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

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

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

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

Strategies
Support the development of ecotourism, tourism and major maritime events.
Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.
Ensure sites and facilities are accessible to all.
Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.
Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.
Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.
Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.
Provide public access to recreational facilities and activities on land and water.
Encourage high quality urban design that is innovative, sustainable and integrated with surrounding areas.
Support maritime and related industries in appropriate locations.

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

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

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

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

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

- Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
- Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
- Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.

Integrate public transport services and infrastructure into new development.

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

Policy documents
Consider as relevant:

Transport system

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

Strategies
Reserve land for strategic transport infrastructure.

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

- Any applicable highway strategy published by VicRoads.

Policy documents
Consider as relevant:

- The Victorian Transport Plan (Victorian Government, 2008)


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

Objective
To promote the use of sustainable personal transport.

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

Sustainable personal transport - Metropolitan Melbourne

Strategies

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

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

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

Strategies
Maintain and strengthen passenger transport networks.
Connect activity centres, job rich areas and outer suburban areas through high-quality public transport.

Improve access to the public transport network by:

- Ensuring integration with walking and cycling networks.
- Providing end-of-trip facilities for pedestrians and cyclists at public transport interchanges.

Plan for bus services to meet the need for local travel.

Ensure development supports the delivery and operation of public transport services.
Plan for and deliver public transport in outer suburban areas that is integrated with land use and development.
Provide for bus routes and stops and public transport interchanges in new development areas.

Policy documents
Consider as relevant:

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

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

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

Identify and plan for new Principal Public Transport Network routes.

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

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

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

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

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

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

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

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

Selectively expand and upgrade the road network to provide for:

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

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

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

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

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

Strategies
Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
Encourage the efficient provision of car parking by consolidating car parking facilities.
Design and locate local car parking to:
- Protect the role and function of nearby roads.
- Enable easy and efficient use.
- Enable the movement and delivery of goods.
- Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
- Create a safe environment, particularly at night.
- Facilitate the use of public transport.
Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.
Make adequate provision for taxi ranks as part of activity centres, transport interchanges and major commercial, retail and community facilities.

Policy documents
Consider as relevant:
- Public Transport Guidelines for Land Use and Development (Victorian Government, 2008)
Planning for ports

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

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

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

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

Policy documents
Consider as relevant:

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

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

Strategies
Protect commercial trading ports from encroachment of sensitive and incompatible land uses in the port environs.
Plan for and manage land in the port environs to accommodate uses that depend upon or gain significant economic advantage from proximity to the port’s operations.
Ensure that industrially zoned land within the environs of a commercial trading port is maintained and continues to support the role of the port as a critical freight and logistics precinct.
Identify and protect key transport corridors linking ports to the broader transport network.
Ensure any new use or development within the environs of a commercial trading port does not prejudice the efficient and curfew free operations of the port.
Ensure that the use and intensity of development does not expose people to unacceptable health or safety risks and consequences associated with an existing major hazard facility.
Ensure that any use or development within port environs:
- Is consistent with policies for the protection of the environment.
- Takes into account planning for the port.

Policy documents
Consider as relevant:
- Port Futures (Victorian Government, 2009)
- Port of 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)
Melbourne Airport

Strategies

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

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

Policy documents

Consider as relevant:

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

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

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

**Strategies**
Support major Transport Gateways as important locations for employment and economic activity by:
- Protecting designated ports, airports, freight terminals and their environs from incompatible land uses.
- Encouraging adjacent complementary uses and employment generating activities.

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

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

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

Link areas of production and manufacturing to export markets.

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

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

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

Minimise negative impacts of freight movements on urban amenity.

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

**Policy documents**
Consider as relevant:

**Freight links - Metropolitan Melbourne**

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

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

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

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

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

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

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

Objective
To facilitate appropriate development of energy supply infrastructure.

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

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

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

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

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

Policy documents
Consider as relevant:

Renewable energy - Metropolitan Melbourne

Strategy

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

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

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

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

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

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

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

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

Strategies

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

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

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

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

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

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

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

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

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

Locate tertiary education facilities within or adjacent to activity centres.

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

Develop libraries as community based learning centres.
Education precincts - Metropolitan Melbourne

Strategy

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

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

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

Strategies

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

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

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

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

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

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

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

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

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

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

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

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

Protect large regional parks and significant conservation areas.

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

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

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

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

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

Develop open space to maintain wildlife corridors and greenhouse sinks.

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

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

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

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

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

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

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

Objective
To strengthen the integrated metropolitan open space network.

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

- Cardinia Creek Parklands.
- Cranbourne Regional Park.
- Kororoit Creek Corridor.
- Quarry Hills Regional Park.
- Chain of Parks - Sandbelt.
- Sunbury Regional Park - Jacksons Creek Valley.
- Toolern Creek Regional Park.
- Werribee Township Regional Park.
Create continuous open space links and trails along the:

- Frankston parklands (linking existing parks from Carrum to Mornington).
- Maribyrnong River parklands.
- Merri Creek parklands (extending to Craigieburn).
- Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee).
- Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).
Provide long term planning protection to meet demand for future open space along the Plenty Gorge parklands, Yarra Valley parklands, Cardinia Creek parklands, Heatherton/Dingley ‘Sandbelt’ parklands and Dandenong Valley parklands.
Protect the metropolitan water’s edge parklands from intrusion and encroachment of development that impacts on open space and their natural landscape setting.

Continue development of the lower Yarra River as a focus for sport, entertainment and leisure.
Support establishing community gardens and productive streetscapes.

Policy documents
Consider as relevant:

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

**Objective**

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

**Strategies**

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

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

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

**Policy documents**

Consider as relevant:

- *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 -as amended 2007)
- *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans*
- *Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans*
19.03-2S

Infrastructure design and provision

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

Strategies
Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.

Ensure the communications technology needs of business, domestic, entertainment and community services are met.

Ensure that the use of land for a telecommunications facility is not prohibited in any zone.

Encourage the continued deployment of broadband telecommunications services that are easily accessible by:

- Increasing and improving access for all sectors of the community to the broadband telecommunications trunk network.

- Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

Policy documents
Consider as relevant:

Telecommunications - Metropolitan Melbourne

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

Objective

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

Strategies

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

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

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

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

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

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

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

Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines

Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents

Consider as relevant:

- *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2015)
- *Waste Management Policy (Siting, Design and Management of Landfills)* (Environment Protection Authority, 2004)
- *Environment Protection (Industrial Waste Resource) Regulations 2009*
- *Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills)* (Environment Protection Authority, 2001)
- *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

Municipal profile

The City of Wyndham is located on the western coastal plain on the western edge of Melbourne, between the metropolitan area and Geelong. It is adjacent to the municipalities of Greater Geelong, Moorabool, Melton, Brimbank and Hobsons Bay. Wyndham covers an area of 542km².

Wyndham has strong industrial and technology districts, major retail precincts, key activity centres, established agricultural lands and important tourist attractions. Werribee South is one of the most significant market garden regions in the State, while Laverton North is a key major industrial area.

Wyndham has a number of significant rivers and waterway corridors, such as Werribee River, Skeleton Creek, the Port Phillip Bay coastline and the habitats and wetlands of Point Cook and the Western Treatment complex.

Wyndham is one of metropolitan Melbourne’s designated growth corridors. The City comprises the suburbs of Werribee, Hoppers Crossing, Point Cook, Laverton, Laverton North, Williams Landing, Truganina, Tarneit and Wyndham Vale, all of which are within the Urban Growth Boundary. Werribee South, Cocoroc, Little River, Mambourin, Quandong, Eynesbury and Mount Cottrell are outside the growth area.

Wyndham was the fastest growing area in the country in 2012 with the population forecast to grow by another 155,000 people by 2031. The Australian Bureau of Statistics indicated that the City had a population of about 166,000 residents in 2012 and it is estimated that by 2040, the City could host 425,000 people in 151,000 dwellings.

Characteristics of the Wyndham community include a relatively high proportion of family households; a high birth rate; a larger average household size than metropolitan Melbourne; growing levels of cultural diversity; a relatively low level of socio-economic disadvantage; relatively lower levels of educational attainment; and growing levels of unaffordable housing.

Key planning influences

The key planning issues which Council needs to address in the future include:

- Rapid Population Growth.
- Growth Area Planning.
- Housing Diversity.
- Liveability.
- Natural Environment and Landscape.
- Climate Change.
- Infrastructure.
- Transport.
- Major Employment Areas.
- Urban Design and Image.
- Rural Areas.

Key planning issues

The key planning issues that are identified in the State Planning Policy Framework which Council needs to address in the future include:
Settlement

- Population growth creates the critical mass to support a wider range of businesses, services and jobs.
- Population growth creates heavy demands on all forms of infrastructure and services.
- Residential growth should align with the delivery of key infrastructure items and the delivery of economic and employment growth.
- There will need to be the provision of at least 15 years’ land supply, to maintain availability of land.
- Council will need to guide the overall form of growth and its key infrastructure and land use elements.
- Managing the number of development fronts at any one time will assist in the timely provision of infrastructure.
- Major growth will impose significant demands on the environment, infrastructure, urban character and employment.
- Major growth also provides opportunities to build a strong community that creates a platform for the health, wellbeing and safety of residents.

Natural Environment and Landscape

- Future growth will have an impact on the natural environment.
- Wyndham’s natural environment and landscape requires protection and enhancement in respect to growth and land use.
- Wyndham’s natural and built environment needs to be planned to minimise impacts on climate change.

Built Form and Heritage

- Urban design and streetscape planning will need to enhance community health and safety, especially in the public realm and improve the character of areas.
- Good planning and design outcomes need to be developed for managing dry stone walls to ensure this important aspect of Wyndham’s heritage is retained.

Natural Resource Management

- Werribee South market gardens will continue to be of State agricultural significance.
- Rural areas beyond the Urban Growth Boundary will help to protect and restore biodiversity and viable future rural land uses.

Housing

- The rapid growth of the City requires more attention to housing diversity, as well as housing density, to ensure that housing is sustainable and reflects community needs.

Economic Development

- Economic growth and job creation must keep pace with population growth.
- Industrial and commercial areas have significant capacity for expansion to form a corridor for employment activity.

Infrastructure

- Council will need to invest at least $1.5 billion in infrastructure to service the City’s projected growth.
Infrastructure provision is not keeping pace with levels of growth and has deteriorated with rapid population growth.

Limits on developer contributions can undermine the capacity to provide essential community and development infrastructure.

**Transport**

- Both road and rail transport will face increasing capacity constraints as demands increase.

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**Strategic vision**

*City Plan 2013-17* sets out the City’s Vision and Mission in the following terms:

**Vision:** Diverse people, one community, our future.

**Mission:** We strive to serve the best interests of the Wyndham community by providing quality services; managing growth; and supporting residents to lead healthy, safe, vibrant and productive lives, while protecting our local environment.

Council is committed to a plan of action designed to address these priorities under five strategic themes:

- People;
- Place;
- Services;
- Environment; and
- Organisational excellence.

The *Community Health, Wellbeing and Safety Plan* (2013-2017) is one of Council’s key plans dealing with issues that impact on the health and wellbeing of the community. With its rapid growth, the community’s health, wellbeing and safety are central to the City’s future.

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**Strategic framework plan**

Council has prepared a Strategic Framework Plan which identifies the major strategic directions for the municipality. Key elements of the Strategic Framework Plan include:

- Focussing future growth on the existing and proposed passenger rail corridors.
- Transport connections including the regional rail link, proposed train stations and proposed rail freight corridor.
- Extensive interfaces between housing and employment areas.
- Areas identified for significant commercial, community and residential growth.
- An employment corridor from Werribee through to Truganina.
- Large protected grassland areas which will avoid development in environmentally sensitive areas.
- The spatial distribution of activity centres.
- The Intensive Agriculture Precinct at Werribee South.
- Identification of the Refuse Disposal Precinct.
- Point Cook Coastal Park, Cheetham Wetlands and other coastal reserves.
SETTLEMENT
This clause provides local content to support Clause 11 (Settlement) of the State Planning Policy Framework.
Specific references to individual suburbs and towns are also included in Clause 21.11 (Local Areas).

Urban growth
Growth Corridor Plans and Plan Melbourne have been developed at the metropolitan level which sets the strategic direction for the future urban development of land within Melbourne’s Urban Growth Boundary. The Growth Corridor Plan provides guidance for the way in which Precinct Structure Plans (PSPs) are to be developed for areas within the corridor addressing:
- The location of town centres and local community facilities;
- Estimated housing yields and the proposed location of higher density housing;
- Smaller scale local employment areas within and near residential precincts;
- The detailed alignment of arterial roads and connector roads;
- Local bus routes and their connections with Principal Public Transport Network (PPTN) and arterial road network;
- Best integrating land uses with the transport network;
- Open space networks, recreation facilities and shared paths;
- Defining edges between urban development and areas of high biodiversity and cultural heritage significance, landscape or drainage significance; and
- Major sites or easements required for public utilities.
Precinct Structure Plans (PSPs) are now being developed for all of the growth areas within the West Growth Corridor being Wyndham West (urban area west of the Werribee River); East Werribee Employment Precinct; and Wyndham North.

Key issues
- Managing significant population growth.
- Developing infrastructure in partnership with state and federal governments.
- Protecting industrial and residential activities from encroaching on each other.
- Providing jobs closer to where people live especially in the new employment corridor.

Objective 1
To identify areas suitable for urban growth and development.

Strategies
1.1 Concentrate most higher density residential and mixed use development and higher density employment areas and services within 400-800 metres of existing and planned rail stations.
1.2 Maintain a non-urban separation between Werribee and Geelong to the west of the existing quarry sites.
1.3 Ensure that interfaces between residential and employment areas; between urban and rural areas; and between urban and industrial areas are planned to minimise land use conflicts.
1.4 Identify areas of constrained land that are not expected to be able to be developed over the life of the corridor plan.

Objective 2
To achieve cost effective and orderly management of urban growth.
Strategies

2.1 Ensure that residential growth aligns with the delivery of key infrastructure items and the delivery of economic and employment growth.

2.2 Provide for growth on a scale and form consistent with maintaining the containment, compactness, accessibility and affordability of key growth areas.

2.3 Provide for new development to occur in areas that are not isolated from the core urban area and which integrate well with existing communities and infrastructure.

2.4 Support new development in areas where sufficient infrastructure can be provided.

Open space

Open space in Wyndham ranges from major sports reserves to linear parks along waterways and small parks in residential areas. Open spaces play a variety of roles including supporting healthy lifestyles. There is a need to consolidate and improve the quality of existing public open spaces and their connectivity to surrounding areas. There is also a need to ensure that urban development is designed to connect people with open spaces that capitalise on links such as road, drainage reserves and waterway corridors.

Key issues

- Developing an integrated and accessible open space network that will provide for the recreation needs of communities while preserving natural features, sustaining biodiversity and healthy waterways.

- Providing appropriate levels and types of open space to meet the needs of the community.

- Providing major sports areas as well as smaller, localised open spaces.

Objective 3

To ensure adequate provision of open space in residential, commercial and industrial areas.

Strategies

3.1 In residential growth areas, provide a network of quality, well-distributed, multi-functional and cost effective open space catering for a broad range of users.

3.2 In residential infill areas, provide relatively more public open space in areas of higher density development where private open space is reduced.

3.3 In activity centres;

- Require that space is set aside for malls, pedestrian plazas, urban parks or rest areas; and

- Require provision of open space for residential use within activity centres at the same rate for any other residential uses.

3.4 In industrial areas, require appropriate areas of open space based on the net developable area.

3.5 Require the physical provision of open space, wherever practical, in greenfield and brownfield locations; and a cash contribution in infill residential areas if physical provision is impractical.

3.6 Require any open space requirement not provided as land on a subject site to be provided in cash, or as land on another site (in addition to the open space requirement of that other site).

Objective 4

To achieve access to a range of appropriately maintained leisure, open space and recreational opportunities (active and passive).

Strategies

4.1 Provide active and passive open space areas in new and existing communities.

4.2 Ensure that active open space contribution is unencumbered by flooding or easements, as appropriate.

4.3 Ensure that any encumbrances on proposed passive open space do not restrict the suitability of the open space for its identified open space functions including maintenance.

4.4 Maximise passive open space opportunities along waterways and coastal areas.

4.5 Provide passive recreation and pedestrian and bicycle access along waterway and other linear corridors, providing that it does not compromise environmental values.

4.6 Maximise opportunities for multi-use open space.
4.7 Locate appropriate community and cultural facilities near open space.

Objective 5
To integrate landscape and environmental features into the regional open space system.

Strategies
5.1 Expand open space opportunities by use of shared trails linking the coast with waterway corridors and recreation reserves.
5.2 Encourage active frontages and community surveillance of open space areas.
5.3 Ensure that streets adjoin (and the fronts of housing face) open space reserves.
5.4 Create a network focussing on open space and watercourses for recreational cycling and walking routes.
5.5 Ensure the integration and connectivity of open space to surrounding land uses.
5.6 Encourage connectivity of open space to natural environment and landscape features.
5.7 Ensure open space assists in mitigating urban heat island effects by retaining natural features and vegetation.

Liveability
Wyndham’s future liveability will be centred on making it a connected, people friendly place where there are employment, recreation and appropriate living options. A priority for Wyndham City’s Plan for Community Health, Wellbeing and Safety (2010-2013) is to recognise the risks and build on the strengths that its exceptional growth will bring.

Wyndham has a particularly high birth rate which has significant implications in terms of planning for the needs of children, young people and their families. While posing challenges, major growth provides significant opportunities to build a strong community that creates a platform for the good health, wellbeing and safety of residents.

Key Issues
- Planning for liveable, connected and healthy communities.
- Creating an employment corridor with jobs close to where people live.
- Providing a variety of housing typologies.

Objective 6
To encourage safety, health, mobility, accessibility and a sense of place in design and development.

Strategies
6.1 Ensure new residential development is integrated with public transport and is connected to walking and cycling links.
6.2 Improve connectivity and access around the city for all members of the community.
6.3 Create opportunities for people to connect through the creation of urban parks, pedestrian plazas and urban links.

Objective 7
To ensure that Wyndham is a city in which people feel confident to move freely and safely.

Strategies
7.1 Ensure that issues of community safety and crime prevention are adequately considered.
7.2 Ensure that the integration of safety and security concerns are considered throughout the development assessment process.
7.3 Ensure that the design of infrastructure and neighbourhoods takes into account safety design principles.
Implementation

Application of zones and overlays

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays as follows:

- Outside PSP areas, apply Environmental Significance Overlay with design guidelines along Werribee River, Skeleton Creek, Lollypop Creek and Little River.
- Apply Design and Development Overlays to areas requiring specific design solutions.
- Apply Development Contributions Plan Overlays to properly plan for infrastructure provision.

Policy Guidelines

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.01 (Non-Residential Uses in Residential Zones Policy) seeks to provide direction on a range of discretionary use and development options in residential zones.

Further strategic work

- Prepare and implement ‘Healthy by Design’ guidelines to facilitate the development of liveable local communities.
- Prepare an Open Space Maintenance Strategy to maintain and improve standards of presentation in the municipality.

Reference documents

*Wyndham Open Space Strategy (2004).*
ENVIRONMENTAL AND LANDSCAPE VALUES

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

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

Biodiversity

Wyndham has a large number of threatened and endangered species that are classified as either vulnerable, endangered or depleted. Since European settlement, over 99% of the native vegetation in Wyndham has been altered, degraded or cleared. The four dominant Ecological Vegetation Classes (EVC’s) in Wyndham are coastal salt marsh; plains grassy woodland; floodplain riparian woodland; and plains grassland. Wyndham also contains a number of biological assets and its native grasslands are considered highly significant.

Wyndham’s main waterways are Skeleton Creek, Werribee River, Lollypop Creek, Little River and a small section of Kororoit Creek. Wyndham has important wetlands listed under the Ramsar Convention including the Western Treatment plant lagoons, Point Cook and Cheetham Wetlands. These and other wetlands provide habitat for many birds including internationally protected migratory species, the critically endangered Growling Grass Frog and other flora and fauna species. There are also coastal areas and foreshores with varying environmental significance that require ongoing management and protection.

The Biodiversity Conservation Strategy 2013 (BCS) defines how conservation objectives relating to matters of national environmental significance will be achieved within Melbourne’s growth corridors. It also evaluates the impact of the State Government’s program Delivering Melbourne’s Newest Sustainable Communities on matters of national environmental significance.

In the Wyndham growth areas, the BCS identifies four Conservation Areas to be reserved for nature conservation. It also identifies land along the Werribee River, Lollypop Creek and Davis Creek to be reserved as habitat corridors for Growling Grass Frog.

The BCS also commits to the development of two nature conservation areas outside the Urban Growth Boundary. The Western Grassland Reserve is one of these areas and 78% of its 15,000 hectares is to be situated within Wyndham.

Key issues

- Protecting and restoring biodiversity and natural habitats.
- Improving the environmental health and protection of waterways and coastlines.
- Ensuring clean water and air, protection from pollutants, access to open spaces and sustainable local ecosystems which all support healthy and sustainable lifestyles.

Objective 1

To protect and improve Wyndham’s indigenous flora, fauna and habitat.

Strategies

1. Protect and manage areas of natural biodiversity value, including the Western Plains Grassland, other grasslands and wetlands, as identified on Map 2. (Conservation Map)
1.2 Ensure that biodiversity is maintained or increased.

Objective 2

To improve the environmental health and protection of waterways and coastlines.
Strategies

2.1 Protect and enhance waterways and coastal land as identified on Maps 3 and 4 (Conservation Map and the Coastal and Werribee South Precinct Map).
2.2 Protect biodiversity within waterways and coastal land.
2.3 Enhance existing geomorphology of waterways and coastlines.

Significant environments and landscapes

A number of landscape characteristics help define Wyndham including coastal and basalt plains, extensive grasslands, waterways, wetlands, swamps, dry stone walls and windbreaks. These are identified in the *Landscape Context Guidelines 2013* and some of these distinctive landscapes are declining. It is feared that without protection, parts of Wyndham are in danger of losing its identity and becoming a cluster of constant suburbs with no character or reflection on its history. Up until recently, the greatest threat to these features was from the clearing of vegetation for agricultural purposes. An emerging threat is inappropriate development which can disturb landscapes, waterways and native species. Unsuitable design can also limit attractive viewlines which can reduce the experience of living on the volcanic plains.

Key issues

- Protecting and enhancing the distinctive sense of place, cultural identity and landscape within the growth areas of Wyndham.

Objective 3

To safeguard the visual, natural and cultural heritage values of urban and rural landscapes.

Strategies

3.1 Identify areas of high biodiversity or landscape value that should be protected from development in accordance with Map 4 (Special Places and Landscapes Map).
3.2 Ensure that development plans and structure plans protect and enhance the key landscape features of Wyndham.
3.3 Acknowledge the key landscape characteristics of Wyndham in the early stages of planning for urban growth.

Coastal areas

The *Wyndham Coastal Scoping Study 2012* analysed the municipal coastline from the mouth of the Werribee River to Skeleton Creek. The study also analysed the Werribee South Intensive Agriculture and Dryland Farming Precincts, Werribee South Township, Wyndham Harbour, RAAF Base Point Cook, Point Cook Coastal Park, the coastal Crown land reserve and the Point Cook Marine Reserve. This area consists of a number of complex environments and activities as was addressed in the *Werribee South Green Wedge Policy and Management Plan 2017*.

Key issues

- Managing urban encroachment and its impacts on environmental values.
- Providing tourism opportunities.
- Managing the needs for coastal infrastructure to protect for climate change and sea level rise.
- Managing economic, environmental and social pressures on the agricultural precincts.
- Considering the quality of water entering Port Phillip Bay and significant wetlands.
- Soil contamination at the RAAF Base Point Cook.

Objective 4

To protect, manage and enhance the identified coastal values of Wyndham.
Strategies

4.1 Protect, conserve and enhance biodiversity and ecological values and significant landscapes along the coast.
4.2 Protect and conserve cultural heritage along the coast.
4.3 Support investment in tourism in the Werribee South and Point Cook areas.
4.4 Discourage development in areas along the foreshore where there is the potential for coastal acid sulphate soils, storm wave action and rising sea levels.

Objective 5

To protect and enhance the Werribee South coastline for environmental, recreational and tourism purposes.

Strategies

5.1 Provide for public access to the Werribee South coastline.
5.2 Protect private land and the right to farm along the Werribee South coastline.
5.3 Manage the interface and minimise conflicts between activity in public areas and activity in adjoining private agricultural and domestic areas.
5.4 Ensure development of the Wyndham harbour site is socially and environmentally responsive to the surrounding agricultural environs.
5.5 Contain urban development around the Wyndham harbour within the boundaries of the Special Use Zone.

Implementation

The strategies will be implemented through the planning scheme by:

Application of zones and overlays

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays.

- Outside PSP areas, apply Environmental Significance Overlay with design guidelines along Werribee River, Skeleton Creek, Lollypop Creek and Little River.
- Apply Schedule 1 to the Design and Development Overlay to maintain the boulevard appearance of the Princes Highway.
- Apply the Environmental Significance Overlay to protect sites, areas and corridors of current and potential future environmental significance.
- Apply Design and Development Overlays to protect major gateways.
- Apply the Heritage Overlay to heritage places and precincts.

Policy Guidelines

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.05 (Heritage Conservation Policy) seeks to protect the heritage assets of the community and ensure respectful infill development.

Further strategic work

- Review and update the Wyndham Environment Strategy.
- Review the Werribee Plains Vision.
- Develop a Wyndham biodiversity strategy.
- Investigate mechanisms to protect and enhance sites of significance in the Green Wedges including potential vegetation planning controls.
Investigate the range of land management actions identified in the Werribee South Green Wedge Policy and Management Plan.

Develop a Management Plan for Wyndham’s Section of the Western Plains South Green Wedge.

Review the Wyndham Coastal Strategy.

Develop a strategy for climate change mitigation and adaptation, including the impacts of heat stress.

Encourage Precinct Structure Plans that recognise the key themes and special places identified in the Landscape Context Guidelines 2013 and the Wyndham North Heritage Strategy.

Implement the Landscape Context Guidelines 2013.

Implement the Wyndham North Heritage Strategy.

Implement the Werribee South Green Wedge Policy and Management Plan 2017.

Identify and protect dry stone walls.

Create a trail link between Point Cook and Werribee South.

Reference documents

- Wyndham Coastal Scoping Study (2012).
- Werribee South Foreshore Master Plan (2006).
ENVIRONMENTAL RISKS

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

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

Sustainability

Built form and urban infrastructure can contribute substantially to the demand for energy. Urban form impacts on the ability of buildings to be energy efficient, particularly through solar orientation and access. Urban form also impacts on the need for people to use transport, including to access services, social connections, recreation opportunities, education and employment. Consolidated urban areas provide for shorter travel distances, walking and cycling, and support more effective public transport.

Climate change and global warming can have major impacts on the environment. Rising sea levels and a drier, more drought-prone climate are major risks. Planning strategies in Wyndham are designed to help minimise the City’s per capita “greenhouse” effects. To the extent that climate change does occur, and that it impacts on land within Wyndham, it may be necessary to respond to potential changes in temperature, rainfall, drought, water resources, fire, winds, storms and sea level rise. Council considers that it is appropriate to apply the ‘precautionary principle’ by ensuring that planning for land use and development considers the potential future impacts of climate change.

Key issues

- Promoting environmental sustainability.
- Minimising the city’s contribution to climate change.
- Minimising greenhouse gas emissions.
- Ensuring that growth area planning has regard to the provision of alternate waste and resource recovery treatments.

Objective 1

To encourage environmentally sustainable land use and development.

Strategies

1.1 Promote low energy travel modes, such as walking and cycling.
1.2 Encourage higher urban densities in appropriate locations near public transport and activity centres to help shorten travel distances.
1.3 Ensure that housing and other buildings are energy and water efficient.
1.4 Ensure that the impacts from new development on rooftop solar energy collectors are minimised by lot orientation and building design.
1.5 Encourage storm water capture, recycled water and other means to reduce urban water demands.
1.6 Apply the ESD Policy in consideration of development specified in Table 1 of Clause 22.08.

Objective 2

To reduce the effects of climate change.

Strategies

2.1 Ensure that coastal planning considers and responds to the forecast impacts of climate change on sea levels.
2.2 Evaluate proposals with a view to limiting their potential greenhouse effects.

Objective 3

To promote the use of water sensitive urban design (WSUD), including stormwater re-use.
Strategies

3.1 Promote greater use of water harvesting and water reuse within residential areas.
3.2 Ensure all commercial, industrial and residential developments incorporate Water Sensitive Urban Design techniques particularly into their landscaped areas.
3.3 Incorporate best practice measures such as those contained in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 into the design of all development.

21.04-2

Waste Management

The Wyndham Refuse Disposal Facility (Wyndham RDF) is identified within the Metropolitan Waste and Resource Recovery Strategic Plan: March 2009 as a regionally significant landfill site. It receives municipal, commercial and industrial waste (both solid inert and putrescible) from across Metropolitan Melbourne and the wider regional area. It is expected to continue for more than 60 years.

Key issues

- Acknowledging that appropriately sited, designed and managed landfills play a critical role in protecting public health and the environment.
- Ensuring the long term security of well sited landfills such as the Refuse Disposal Facility from conflicting land uses.

Objective 4

To provide for the ongoing and long term functional operation of the Wyndham RDF.

Strategies

4.1 Ensure use and development of land around the Wyndham RDF is compatible with site operations.
4.2 Regulate the establishment and siting of amenity susceptible uses within proximity to Wyndham RDF.
4.3 Ensure that the adverse amenity impacts from Wyndham RDF are minimised.

21.04-3

Floodplains

The catchments of the various rivers and streams within Wyndham include areas of flood prone land where flooding has caused substantial damage to the natural and built environment. Floods are naturally occurring events and the inherent functions of the floodplains to convey and store floodwater are recognized. Floodplains need to be preserved to minimise the deterioration of environmental values and the long term flood risk to floodplain production, assets and communities.

Key issues

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

Objective 5

To sustainably manage floodplains.

Strategies

5.1 Discourage any urban expansion within floodplains that reduces flood storage, obstructs flood flows or increases the risk to life, health and safety.
5.2 Discourage raised earthworks that reduce natural flood storage, obstruct and/or redistribute flood flows, and increase flow velocities and levels.
5.3 Discourage developments in residential areas that encroach on 1:100 year floodplains or existing waterways.
21.04-4

Bushfire
Extensive areas of the municipality are prone to bushfires. Council has adopted the *Wyndham Municipal Fire Management Plan* (2013-2016) which has the primary objective of the protection of life and property. Areas of grassland in Wyndham have a history of large and fast moving fires which have the potential to cause loss of life and property. While fires in the open grasslands can be difficult to contain, the survival of crops, stock, plantations, homes and outbuildings can be enhanced through the implementation of appropriate fire protection programs.

**Key issues**
- Identifying areas prone to bushfire.
- Applying design, siting and subdivision standards in bushfire prone areas.

**Objective 6**
To minimise the risk to life, property and the environment from bushfire.

**Strategies**
6.1 Ensure that the design, siting and layout of subdivision increase protection from fire.
6.2 Ensure that use and development include adequate fire protection measures.

21.04-5

Heat Island Effects
Heat island effects are the product of high summer temperatures, lack of canopy or surface vegetation and heat absorbent surfaces to buildings and pavements. Together, they are a serious environmental health risk, especially in heat wave conditions.

**Key issues**
- Identifying urban design as a factor in heat island impacts.
- Defining urban design responses to heat island impacts.

**Objective 7**
To minimise the impacts of heat island through urban design responses.

**Strategies**
7.1 Develop a range of design responses to heat island impacts.
7.2 Promote the introduction or retention of canopy trees and surface grasses especially in the public realm.
7.3 Minimise the extent of sealed surfaces.
7.4 Encourage the use of materials and finishes to buildings and pavements that minimise heat island effects.

21.04-6

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

**Application of zones and overlays**
The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays.
- Apply the Environmental Significance Overlay to protect sites, areas and corridors of current and potential future environmental significance.
- Apply appropriate flooding overlays to areas identified by the Floodplain Manager (Melbourne Water) as subject to flooding.
Further strategic work

- Consider the application of the Bushfire Management Overlay to areas identified by the Municipal Fire Management Plan.

- Prepare strategic waterway management plans and waterway masterplans in line with the Wyndham Waterways Strategy Plan.

- Investigate the issues and opportunities for coastal planning in Werribee South.

- Expand the use of recycled water from the Western Treatment Plant for irrigation within the Werribee South Intensive Agriculture Precinct, for open space in industry, and for outdoor domestic use.

- Prepare and implement landscape and urban design guidelines to improve the quality of landscape and buildings in identified localities including around the Refuse Disposal Facility.

- Develop a Refuse Disposal Precinct Master Plan in consultation with the Wests Road RDF and Waste Management Community Reference Group.

- Consider the application of an Environmental Significance Overlay to protect existing landfill operations around the RDF as an outcome of the Precinct Master Plan process.

Reference documents


NATURAL RESOURCE MANAGEMENT

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

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

Agriculture

The Intensive Agriculture Precinct (IAP) at Werribee South comprises about 3000 hectares utilised for intensive agriculture and with an annual value of production estimated at $200 million. The IAP generates a large percentage of the total annual Victorian production of many vegetables including most of the state’s cauliflower and broccoli.

In the City’s north and north-west, beyond the urban areas, there is extensive dryland cropping and grazing. Parts of these areas, mainly in Tarneit and Wyndham Vale, have been identified for future urban use. The majority of the City’s dryland farming areas are likely to form part of a long-term green wedge, including about 11,000 hectares of native grasslands that are suitable for future “net gain” restoration of native vegetation. Some other localities may be suitable for generation of “green” electricity or for quarrying if well buffered.

Key issues

- Minimising the loss of productive agricultural land.
- Minimising the impacts of incompatible uses on farming operations.

Objective 1

To preserve the agricultural areas of the municipality.

Strategies

1.1 Retain productive land as identified on the Coastal and Werribee South Precinct Map (Map 5) for agricultural purposes.
1.2 Consider the impact of non-agricultural activity on agricultural production.
1.3 Consider the need to buffer and protect existing agricultural activities.
1.4 Encourage consolidation of rural allotments.
1.5 Encourage re-alignment of lot boundaries if it supports farm viability.
1.6 Consider land uses that complement and enhance the viability of agricultural activity.

Objective 2

To protect agricultural land in the Intensive Agriculture Precinct from incompatible uses.

Strategies

2.1 Minimise the loss of productive land within the Intensive Agriculture Precinct by encroachment or expansion from surrounding precincts.
2.2 Discourage new Intensive Animal Husbandry and Broiler Farms in precincts est of the Werribee River (south of the Princes Freeway) and within the UGB.
2.3 Ensure that agriculture takes precedence over non-agricultural land uses in the Intensive Agriculture Precinct.
2.4 Ensure that the siting of dwellings minimises the potential for conflict with farming activities.
2.5 Ensure that rural stores are primarily used for local agricultural produce.
2.6 Ensure that transport terminals are primarily used to load and transport agricultural produce from the precinct.
2.7 Ensure that depots or loading facilities that accommodate heavy articulated vehicles locate on Duncans Road, Diggers Road or Aviation Road (east of Duncans Road).
2.8 Ensure new buildings and vegetation are set back an appropriate distance from any boundary adjoining productive agricultural land.
Waterways

Council has identified the need to protect its waterway corridors and waterway view sheds for their environmental, landscape character, heritage, cultural and economic values. The Wyndham Waterways Strategy Plan (2003) and the Kororoit Creek Regional Strategy 2005-2030 guide future land use and development associated with the major waterways within Wyndham. The waterway corridors provide biodiversity links in estuarine environments. “Environmental buffers” are those areas beyond the waterway corridors providing protection between identified environmental values and development sites.

Key issues

- Ensuring that urban development addresses waterways and open space corridors.
- Promoting waterways as significant environmental features.
- Improving the interface between waterways and development.

Objective 3

To protect waterways, aquatic areas, floodplains, wetlands, swamps and catchments.

Strategies

3.1 Protect, enhance and reinstate environmental values of the waterway.
3.2 Ensure that development minimises loss or damage to waterway values.
3.3 Incorporate best practice stormwater management in subdivision and drainage design.
3.4 Avoid increases in the rate of stormwater discharge.
3.5 Encourage connectivity of waterways to open space and other natural environment and landscape features.

Objective 4

To protect riparian land, vegetation communities, waterway valleys and escarpments.

Strategies

4.1 Protect and enhance waterway corridors and their view-sheds through use of good urban design, appropriate built form, water sensitive urban design, appropriate plantings and land management.
4.2 Protect and restore native vegetation corridors along waterways.
4.3 Establish an appropriate buffer to protect the environmental values of a waterway corridor from negative impacts of development.
4.4 Encourage passive open space provision and linkages along or within waterways corridors.
4.5 Encourage active open space along waterway corridors.
4.6 Discourage new urban development or rural activity in any environmental protection buffer.
4.7 Ensure that if an environmental buffer is required to protect waterways, that it be transferred to Council.
4.8 Encourage development within viewsheds to protect views and avoid visual intrusion.
4.9 Require archaeological assessments prior to development for areas of identified significance and within 200 metres of watercourses.
4.10 Encourage the existing natural features of waterways to be retained in preference to constructed waterways.
4.11 Incorporate protection and management recommendations in PSPs and planning permit conditions.

Implementation

The strategies will be implemented through the planning scheme by:

Application of zones and overlays

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of the following zones and overlays.

- Outside PSP areas, apply Environmental Significance Overlay with design guidelines along Werribee River, Skeleton Creek, Lollypop Creek and Little River.
Apply Schedule 1 to the Design and Development Overlay to maintain the boulevard appearance of the Princes Highway.

Apply the Environmental Significance Overlay to protect sites, areas and corridors of current and potential future environmental significance.

Apply Design and Development Overlays to protect major gateways.

Apply the Heritage Overlay to heritage places and precincts.

Apply appropriate flooding overlays to areas identified by the Floodplain Manager (Melbourne Water) as subject to flooding

Apply Development Contributions Plan Overlays to plan for infrastructure provision.

Further strategic work

Investigate increased agricultural innovation and diversification of activities.

Investigate application of an ESO along Wyndham’s section of Kororoit Creek.

Prepare strategic waterway management plans and waterway masterplans in line with the Wyndham Waterways Strategy Plan.

Reference documents

- Wyndham Coastal Scoping Study (2012).
- Werribee South Foreshore Master Plan (2006).
BUILT ENVIRONMENT AND HERITAGE

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

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

Urban environment

One of the themes identified in the Council Plan focuses on improving Wyndham’s image. It is acknowledged that there is insufficiently defined character and thematic urban design in some of Wyndham’s development. Urban areas often lack visual appeal due to ineffective landscaping. This is evident at some major entrances and along sections of key arterial roads.

The siting and design of development needs to consider character and local heritage values. The design of buildings, their mass and scale are important in preserving the character and historical attributes of urban areas. Streetscape issues are also important to the character of urban areas and should be taken into account in the consideration of new use and development.

While advertising signs support economic activity, they can have negative effects on urban amenity. Given Wyndham’s diverse business activities, with strip shopping centres and stand-alone retail centres, it is necessary that advertising signs be assessed with regard to built form and surrounding land uses to improve visual amenity.

Key issues

- Improving the presentation of urban areas and entrances, particularly from major roads, gateways and waterways.
- Improving the design, siting and landscaping of development.
- Minimising the role of advertising signs in the visual environment.

Objective 1

To improve the quality of development through improved design, siting and landscaping.

Strategies

1.1 Ensure that urban design and landscaping is addressed in managing the visual amenity of gateways, transport routes, the coast, waterways, streets and places.
1.2 Ensure that multi-unit housing is well landscaped, with tree and shrub selection creating a positive visual image.
1.3 Ensure there is adequate scope for canopy tree planting in private properties and within street reservations.
1.4 Provide adequate road reserve widths or tree reserves in new subdivisions to respect road safety and power lines.
1.5 Ensure buildings and works along Princes Highway maintain the treed boulevard character of the corridor.
1.6 Implement native vegetation plantings along the coast and waterways.
1.7 Ensure that landscape and urban design minimises urban heat island effects.
1.8 Ensure that high quality urban design outcomes are achieved for lots with rear access.

Heritage

Many of Wyndham’s heritage places consist of remnants of the municipality’s indigenous past and early European settlement of the Western Plains. The protection and management of these significant heritage assets helps our understanding of the past, enriches the present and will be of value to future generations. Council has prepared the Wyndham North Heritage Strategy for an area which has historically been associated with agricultural uses but which has more recently been included within the urban growth boundary. The area currently consists of a number of places defining the historical and rural nature of the area.
Key issues

- Protecting significant areas and features of the built and natural environment.
- Managing heritage places and dry stone walls to ensure their preservation.

Objective 2

To identify, recognise and protect places of heritage, cultural and social significance.

Strategies

2.1 Ensure that the significance of a site is identified, assessed and protected.
2.2 Discourage demolition approvals for heritage assets until replacement buildings have been approved.
2.3 Ensure that additions, alterations and replacement buildings are sympathetic to the heritage area and surrounds.
2.4 Ensure that development makes a positive contribution to the built form of the area.
2.5 Ensure development is respectful of the historic character and appearance of the area.
2.6 Ensure that the use and development of heritage places and adjoining land is compatible with and does not adversely affect the significance of the place.
2.7 Ensure the retention and conservation of dry stone walls.

Implementation

The strategies will be implemented through the planning scheme by:

Application of zones and overlays

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays.

- Outside PSP areas, apply Environmental Significance Overlay with design guidelines along Werribee River, Skeleton Creek, Lollypop Creek and Little River.
- Apply Schedule 1 to the Design and Development Overlay to maintain the boulevard appearance of the Princes Highway.
- Apply the Environmental Significance Overlay to protect sites, areas and corridors of current and potential future environmental significance.
- Apply Design and Development Overlays to protect major gateways.
- Apply the Heritage Overlay to heritage places and precincts.
- Apply the Heritage Overlay in accordance with the recommendations of the Wyndham North Heritage Strategy.
- Apply appropriate flooding overlays to areas identified by the Floodplain Manager (Melbourne Water) as subject to flooding.
- Apply Design and Development Overlays to areas requiring specific design solutions.
- Apply Development Contributions Plan Overlays to properly plan for infrastructure provision.

Policy Guidelines

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.02 (Advertising Signs Policy) seeks to provide direction on a range of advertising applications that are permitted under Clause 52.05.
- Clause 22.05 (Heritage Conservation Policy) seeks to protect the heritage assets of the community and ensure respectful infill development.
- Clause 22.07 (Dry Stone Wall Policy) seeks to encourage retention and conservation of dry stone walls.
Clause 22.08 (Environmentally Sustainable Development Policy) seeks to ensure development achieves best practice in environmentally sustainable development from the design stage through to construction and operation.

- Require that an application for development specified in Table 1 of Clause 22.08 is accompanied by specified assessments, as appropriate.
- Require that an application to demolish an individually significant building or site be accompanied by a report justifying the demolition.
- Require a conservation analysis or cultural heritage management plan in accordance with the principles of the Burra Charter, as appropriate.

**Further strategic work**

- Prepare Industrial Design Guidelines for existing and proposed industrial areas in the city.
- Identify dry stone walls considered appropriate for protection.
- Develop strategies to minimise heat island impacts.
- Implement the ‘Residential Design Guidelines: Rear Loaded Lots’.

**Reference documents**

- Heritage of the City of Wyndham Volumes 1 and 2 (1997).
- Wyndham Dry Stone Walls Study (2015).
- Built Environment Sustainability Scorecard (BESS) bess.net.au
- Council Alliance for a Sustainable Built Environment (CASBE), 2015
- Guide for Best Practise for Waste Management in Multi-Unit Developments, Sustainability Victoria, 2010
- Nationwide House Energy Rating Scheme (NatHERS), Department of Climate Change and Energy Efficiency, www.nathers.gov.au
HOUSING

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

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

Residential development

The rapid growth of Wyndham requires that more attention be paid to housing diversity and housing density so as to ensure that housing reflects overall community needs.

In addition to the expected population growth in the greenfield areas, the 2011 population of Werribee is projected to increase from about 39,000 residents to over 60,000 people by the year 2031 supporting an additional 8,500 dwellings. The 2011 population of Hoppers Crossing is projected to decrease from about 38,600 residents to 37,300 people by the year 2031 supporting an additional 570 dwellings. The 2011 population of Point Cook is projected to increase from 33,400 residents to 55,000 people by the year 2031 supporting an additional 8,400 dwellings.

Areas for accelerated population growth at higher densities have been identified by the “Transit City Strategy” which identifies areas within a convenient walking distance of the Werribee and Hoppers Crossing rail stations. In Werribee Town Centre, in the vicinity of the Werribee River, there is the potential for taller residential developments which address the park and river, but do not impact on the natural attributes. Increased residential densities in this location will revitalize the town centre and add a civic component to the existing retail area. New multi-level development is also needed near other rail stations and needs to provide a diverse range of housing types.

New growth areas present great opportunities to provide higher density, more diverse housing around new activity centres, especially transit based centres.

Key issues

- Accommodating a projected population of about 425,000 people by 2040.
- Addressing the cost of developing medium density housing which is more expensive than constructing a detached house of a comparable size.
- Identifying the Werribee City Centre as a key commercial centre for Melbourne’s west, and a location for high density residential development.
- Identifying the Princes Highway corridor as an area where higher scale and higher density residential development may occur.
- Acknowledging that areas with long term covenants can restrict subdivision or development to one dwelling per lot.

Objective 1

To provide variety and choice in housing densities.

Strategies

1. Identify preferred areas for increased residential densities.
2. Identify preferred areas for incremental and limited change.
3. Encourage higher density development to occur in well serviced and established areas such as Werribee City Centre and Hoppers Crossing.
4. Encourage medium density housing, especially within close walking distance of existing and planned fixed rail stations, defined Activity Centres and bus routes.
Housing diversity

The 2011 census revealed that overall, Wyndham comprised a total of nearly 60,000 dwellings. Key characteristics of local housing include a dominance of separate dwellings, a small proportion of renters and growing levels of unaffordable housing. As housing estates rapidly develop across Wyndham, access to affordable housing is becoming an increasing concern, with mortgage payments and home rental payments rapidly increasing as a proportion of income.

Wyndham is presently dominated by large houses of four bedrooms and more with less than 5% of new dwellings having two or less bedrooms. With a declining average number of persons per household, a preference for smaller dwellings and a projected increase in lone person households and elderly residents, there is a mismatch between household sizes and a lack of availability of smaller dwellings. Given this, there is a need for housing to be built to ‘universal’ standards with designs that are accessible and adaptable to all stages in the life cycle.

Greenfield areas are dominated by small lot sizes with many having single dwelling covenants which can restrict future land use flexibility. There is potential to define priority areas for development for multi-unit housing based on development capacity and neighbourhood character.

Wyndham is also faced with the need for an increased supply and diversity of social housing in infill and greenfield areas.

Key issues

- Declining household size and ageing population are creating a demand for a greater diversity of housing throughout the City.
- Increasing the supply of one to three bedroom dwellings.
- Limiting the capacity for redevelopment of existing housing due to small lot sizes, relatively new existing housing and restrictive covenants.

Objective 2

To provide a diversity of choice in housing styles and designs.

Strategies

2.1 Encourage housing that meets a diversity of community needs incorporating a ‘universal’ dwelling design.
2.2 Support housing and accommodation for the ageing population.
2.3 Encourage the provision of an adequate supply of social housing.
2.4 Ensure that smaller household units are developed particularly near rail stations, activity centres or employment areas.

Neighbourhood Character

The Wyndham Neighbourhood Character Scoping Study 2012 assessed established residential areas in Hoppers Crossing, Werribee, Tarneit, Truganina, Wyndham Vale, Point Cook, Little River and Werribee South. Five broad neighbourhood character types in the established residential areas of the city have been identified.

- Contemporary Garden – comprising modern residential estates with establishing gardens.
- Garden Suburban – comprising the formally established residential areas of Wyndham, with a mixture of older buildings located around linear street patterns and pockets of established vegetation.
- Garden Court – comprising street patterns of winding roads and cul de sacs, with a range of dwellings set in garden surrounds. In some areas, an established tree canopy as well as wide grass verges at the street edge, creates a strong landscape character.
- **Bush Garden** – informal streets with strong landscape dominated settings. Built form is hidden in larger lots behind well-established gardens and canopy trees.

- **Coastal Garden** – informal streets with coastal landscaping and vegetation surrounding buildings. Streets have views of the nearby coastal foreshore and market gardens.

**Key issues**

- Identifying and protecting areas within the municipality with significant neighbourhood character values.
- Considering neighbourhood character issues in the assessment of infill housing development proposals within existing residential areas.
- Balancing the tension in policy between urban consolidation objectives and the desire to respect residential amenity and neighbourhood character.
- Ensuring that the type, scale and design of development and the impacts on existing amenity are addressed.
- Minimising the loss of backyard areas and established vegetation.

**Objective 3**

To recognise places of distinct neighbourhood character.

**Strategies**

3.1 Maintain the garden settings of buildings and the tree canopy of neighbourhoods.
3.2 Accommodate landscaping within smaller garden settings.
3.3 Maintain the rhythm of spacing between buildings.
3.4 Provide space for front gardens and planting around buildings.
3.5 Minimise the loss of front garden space and the dominance of car parking structures.
3.6 Avoid new buildings or extensions dominating the streetscape.
3.7 Encourage innovative and contemporary architectural responses that make a positive contribution to the streetscape character.
3.8 Encourage the retention of intact, older buildings that contribute to the character of the area.
3.9 Ensure that the pattern of frontage treatment within the area is respected.
3.10 Integrate buildings and landscape settings with open space and creek or river-side environs.

**Implementation**

The strategies will be implemented through the planning scheme by:

**Application of zones and overlays**

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays.

- Apply Design and Development Overlays to protect major gateways.
- Apply the Heritage Overlay to heritage places and precincts.
- Apply Design and Development Overlays to areas requiring specific design solutions.
- Apply the appropriate Residential Zone and the Urban Growth Zone (in growth areas) as appropriate.

**Policy Guidelines**

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.01 (Non-Residential Uses in Residential Zones Policy) seeks to provide direction on a range of discretionary use and development options in residential zones.
Clause 22.04 (Neighbourhood Character Policy) seeks to protect neighbourhood character and ensure development is respectful of its neighbourhood.

Clause 22.08 (Environmentally Sustainable Development Policy) seeks to ensure development achieves best practice in environmentally sustainable development from the design stage through to construction and operation.

Require that an application for development specified in Table 1 of Clause 22.08 is accompanied by specified assessments, as appropriate.

Further strategic work

- Undertake further housing studies, including a housing strategy and neighbourhood character study, review of strategies to manage preferred locations for medium density housing and means to encourage and guide delivery of housing diversity to meet community needs.

- Prepare design guidelines for medium density development to improve the standard of building design and landscaping.

- Investigate the areas around the Werribee Town Centre and within growth areas for increased medium density housing opportunities.

Reference documents

- Neighbourhood Character Scoping Study (2012).

ECONOMIC DEVELOPMENT

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

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

Economic growth

Wyndham has a diverse local economy, including major industrial and logistics development in Laverton North, intensive agriculture at Werribee South, busy commercial precincts, an extensive new housing market, and a major tourism precinct. About one third of Wyndham’s resident workforce is employed within the municipality meaning that two thirds leave the municipality for work every day. This places significant stress on roads and public transport, impacts on expenditure leakage from local economic activity and has significant health implications arising from long commute times. Wyndham lacks a critical mass of employment opportunities for professional people and skilled tradespersons.

Attracting new investment and business to the region that meets the needs of these workers is critical to the city’s long term economic future. The 925ha East Werribee Employment Precinct (EWEP) is going to be a generator of high density white collar employment opportunities.

The West Growth Corridor Plan outlines significant employment nodes for future development:

- The EWEP between Werribee and Point Cook.
- South of Boundary Road between the Outer Metropolitan Ring Road and planned extension of Forsyth Road.
- An area immediately west of the Regional Rail Link between Wyndham Vale station and a potential future station at Tarneit West (Davis Road).
- An area bounded by Bulban Road, the Regional Rail Link and Outer Metropolitan Ring Transport Corridor.

Key issues

- Ensuring sufficient land is available to attract investment and generate additional jobs.
- Balancing blue and white collar employment opportunities.
- Investing in “high value-adding” industries.
- Increasing local employment opportunities for residents.
- Promoting Wyndham as a place for long term business attraction and expansion.

Objective 1

To facilitate new development and employment opportunities in Wyndham.

Strategies

1.1 Ensure adequate land availability for industrial and commercial growth.
1.2 Ensure that industrial and commercial development is of the highest quality especially at the interface with residential land.

Activity centres

Activity centres provide a range of functions including retail, commercial, community, cultural, transport, education, social, entertainment, leisure and civic services. These roles are vital to community and business development and to growth and diversification of local employment.
Wyndham is committed to the reinvigoration and redevelopment of the Werribee City Centre as its Principal Activity Centre as a major retail, commercial and residential hub. Wyndham’s other activity centres are identified on the Strategic Framework Plan at Clause 21.01. The Werribee City Centre Precinct Structure Plan 2013 sets out a vision and planning framework for the centre. Precinct Structure Planning for Wyndham North and Wyndham West provides for commercial and retail activities centres, community facilities and home based employment opportunities.

**Key Issues**

- Consolidating activity centres as the focus for retail and commercial activity.
- Creating functional, attractive and accessible activity centres that connect to surrounding communities including by cycling and walking routes.
- Ensuring retail facilities and community services are not duplicated across communities.
- Ensuring activity centres provide a mix of uses to create vibrant, attractive spaces.

**Objective 2**

To establish a network of activity centres which satisfy a range of retail, commercial, community and residential needs.

**Strategies**

1. Encourage a mix of retail, office, commercial, entertainment, leisure and community uses, and higher density housing to locate within activity centres.
2. Encourage increased intensity and scale of development within defined activity centres.

**Objective 3**

To facilitate the growth of the Werribee City Centre.

**Strategies**

1. Encourage a diverse range of land uses including accommodation, office, retail, food and drink, transport, leisure, civic and community uses.
2. Encourage high quality, accessible and environmentally sustainable design.
3. Provide coordinated walking, cycling, pedestrian and vehicular movement.
4. Encourage the development of an integrated high quality public transport interchange.
5. Provide well located and accessible car parking areas in the centre.
6. Enhance the ‘green heart’ of the centre and improve connections to environmental and open space assets in accordance with Map 6 Werribee City Centre Activity Land Use and Built Form Map).

**Table 1 - Wyndham Activity Centres**

<table>
<thead>
<tr>
<th>Principal Activity Centre (PAC) – Werribee City Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Role and function: Werribee City Centre comprises approximately 30,000 square metres of retail space and 15,000 square metres of commercial space. The precinct is primarily a mixture of business and personal services, banking, boutique shopping, restaurants and cafes. The Werribee City Centre Structure Plan (2011) outlines a vision for the development of a vibrant city centre that takes full advantage of its immediate connection to both the Werribee Employment Precinct and the Werribee River. Activated street frontages combined with multi-level commercial, retail and residential uses will secure Werribee City Centre as a major employment centre.</td>
</tr>
<tr>
<td>Establish Station Place as a major community and business focal point of the City Centre, connecting the centres public transport interchanges with its commercial and community facilities and recreation areas;</td>
</tr>
<tr>
<td>Reinforce the prioritisation of pedestrian traffic in the City Centre and strengthen pedestrian, bicycle and public transport access to the City Centre;</td>
</tr>
<tr>
<td>Ensure that new development adjacent to the River addresses and opens out onto it;</td>
</tr>
<tr>
<td>Investigate the potential for an elevated walkway overlooking the Werribee River, connected to the rear of businesses in Watton Street;</td>
</tr>
</tbody>
</table>
Principal Activity Centre (PAC) – Werribee City Centre

<table>
<thead>
<tr>
<th>Housing growth</th>
<th>Achieve a substantial increase in the number of dwellings by facilitating higher density, apartment style housing.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scale of development</td>
<td>Higher density mixed use buildings scaling down at the housing interface</td>
</tr>
<tr>
<td></td>
<td>Higher density mixed use buildings scaling down to medium density and lower density at the sensitive interfaces</td>
</tr>
</tbody>
</table>

Other Activity Centres (Map 5 – Activity Centres Map)

<table>
<thead>
<tr>
<th>Role and function</th>
<th>Werribee Plaza is the largest retail centre in Wyndham comprising 70,000m2 of leasable floor space.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Williams Landing Activity Centre has a capacity to house 6,500 residents and will be supported by a rail station and bus exchange with an integrated retail and commercial activity centre.</td>
</tr>
<tr>
<td></td>
<td>Point Cook Town Centre comprises about 30,000m2 retailing, 5,000m2 of office space and an integrated Community Learning Centre and Library. The centre has potential for further investment in retail and office development.</td>
</tr>
<tr>
<td></td>
<td>Hoppers Crossing has up to 20,000m2 of retail uses.</td>
</tr>
<tr>
<td></td>
<td>Old Geelong Road Precinct, Hoppers Crossing is a mix of restricted retail homemaker stores and light industrial including manufacturing, engineering and service repair centres. It is also home to churches, gymnasiuems, play centres and indoor sports. There is some additional capacity for future development along Old Geelong Road east of Skeleton Creek.</td>
</tr>
<tr>
<td></td>
<td>Provide for a range of mixed use developments at the Woodville Park centre.</td>
</tr>
<tr>
<td></td>
<td>New activity centres are planned for the growth areas including Manor Lakes (expansion of existing centre), Sanctuary Lakes, Tarneit Central (formerly Rose Grange), East Werribee, Truganina, Tarneit, Riverdale, Ballan and Westbrook.</td>
</tr>
<tr>
<td></td>
<td>Other centres have a mix of uses serving local needs and are dominated by shops, small businesses, and community services. These play an important community based role in serving the everyday and weekly needs of residents and provide an important community focal point. These are typically anchored by a supermarket of about 2,000m2.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Housing growth</th>
<th>Achieve a substantial increase in the number of dwellings by facilitating a mix of housing with a large share of apartment style dwellings.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scale of development</td>
<td>Multi-level medium density buildings scaling down at the housing interface</td>
</tr>
<tr>
<td>Other directions</td>
<td>Confine the extent of retail activity in Hoppers Crossing to the eastern boundary of No. 76 Old Geelong Road.</td>
</tr>
<tr>
<td></td>
<td>Designate areas for large and bulky retail sales in Old Geelong Road, Hoppers Crossing and at Williams Landing.</td>
</tr>
</tbody>
</table>

Industry

The western region has good access to ports, airports, freeways and the Melbourne Central Business District. The Laverton North and Truganina Industrial Precincts, located within the western industrial node, are recognised as major manufacturing and logistics hubs. The precincts offer a large supply of relatively affordable zoned land.

Laverton North Industrial Precinct is the largest industrial precinct in the city and provides significant advantages in land availability and affordability with a future capacity for significant new investment and industrial development. The Truganina Employment Precinct Structure Plan (PSP) comprises 662 hectares located at the north-eastern edge of Wyndham to the immediate west of the existing Laverton North Industrial Precinct. It is anticipated that between 10,000 and 15,000 new jobs will be delivered in the Truganina Employment precinct providing significant capacity for the generation of high skilled employment opportunities. The Truganina Employment PSP proposes a high quality industrial and commercial area with strong architectural and landscape themes.
There are also a number of sites with licences for extractive industry within the municipality which should be protected.

Key issues

- Providing sufficient land for industrial growth and expansion.
- Encouraging a cohesive built form and high quality landscaping in industrial areas.
- Ensuring that industrial precincts are protected from intrusion by inappropriate land uses that put pressure on lawful existing industrial activities.

Objective 4
To facilitate new development and employment opportunities.

Strategies

4.1 Ensure Laverton North is the preferred location for industrial uses.
4.2 Develop a high quality business park and industrial precinct within the Truganina Employment Precinct.
4.3 Protect existing extractive industry sites by separating incompatible land uses and by physical separation.

Tourism

Wyndham City is home to a range of tourism experiences including the Werribee Open Range Zoo, Werribee Park Mansion, National Equestrian Centre and the Point Cook Coastal Park Council’s Tourism and Events Strategy articulates the vision for tourism growth and development in the City. New opportunities for tourism investment have been identified including water based activities, accommodation, sporting and recreational activities and wild life tours.

Objective 5
To identify and promote new tourism investment.

Strategies

5.1 Encourage new tourism operations in the Werribee South Tourism and Harbour precincts.
5.2 Ensure that the siting of tourism operations minimises the potential for conflict with farming activities.
5.3 Ensure new tourism operations within the Intensive Agriculture Precinct are agriculture related or have a significant agricultural component.
5.4 Link tourism and recreational assets across the Green Wedges.

Gaming

Within Wyndham, there are currently limited facilities for cultural and arts activities. Conversely, the city is well represented by electronic gaming machines (EGMs). While these are legitimate forms of leisure, problem gambling can cause significant community harm and planning is required to ensure that any proposed new gaming venues are established in appropriate areas. Activity centres and shopping areas are often highly accessible locations and may not be appropriate for gaming venues.

Key issues

- Ensuring the impacts of gambling on the health and wellbeing of the community are minimised.

Objective 6
To identify locations where electronic gaming machines are encouraged or discouraged.

Strategy

6.1 Encourage responsible development that promotes a healthy, safe and diverse community.
6.2 Assess gaming applications on the basis of the social and economic impacts on the community in accordance with Clause 22.03.
Implementation

The strategies will be implemented through the planning scheme by:

Application of zones and overlays

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays.

- Apply Development Contributions Plan Overlays to properly plan for infrastructure provision.
- Apply Schedule 1 to the Design and Development Overlay to maintain the boulevard appearance of the Princes Highway.
- Apply Design and Development Overlays to areas requiring specific design solutions.
- Apply Schedule 11 to the Design and Development Overlay to ensure development of the Boundary Road Office and Industrial Precinct as a high quality industrial/office precinct and to respect residential and other sensitive interfaces.

Policy Guidelines

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.01 (Non-Residential Uses in Residential Zones Policy) seeks to provide direction on a range of discretionary use and development options in residential zones.
- Clause 22.02 (Advertising Signs Policy) seeks to provide direction on a range of advertising applications that are permitted under Clause 52.05.
- Clause 22.03 (Gaming Policy) seeks to protect the community from the adverse effects of gaming machines by ensuring they are located only where there will be a net community benefit.
- Use the Schedules to Clause 52.28 to prohibit gaming machines in identified activity centres or shopping strips where gaming venues would not be appropriate.

Further strategic work

- Investigate transport corridor reservations for precinct structure plans for selected activity centres.
- Investigate the need for further planning controls on the operation of licensed premises.
- Develop design criteria for commercial facilities in support of key tourist locations.
- Develop a strategy to reinforce tourism through planning for urban development and renewal.

Reference documents

- Werribee City Centre Structure Plan (2013).
Map 5–Activity Centres Maps

Wyndham Planning Scheme
TRANSPORT

This clause provides local content to support Clause 18 (Transport) of the State Planning Policy Framework. Specific references to individual suburbs and towns are also included in Clause 21.11 (Local Areas).

Integrated transport networks

Wyndham’s transport network will experience pressure from rapid population growth. While the demand for transport will be met primarily through private car use, strategies to facilitate major increases in use of public transport are required. Both road and rail transport will face increasing capacity constraints as demands increase. Effective resolution of major passenger and freight transport planning issues will also require significant regional co-operation.

Wyndham’s reliance on cars for transport displaces some of the more active transport options like walking, cycling and using public transport. However, using active transport options involving greater physical activity can alleviate a variety of health problems. The application of safer design principles and treatments can encourage people to leave cars at home, improving activity levels, overall health, safety and wellbeing and the pressure on health and hospital services. Public transport and transport options that meet the needs of the young, elderly and disabled especially critical.

Key issues

- Providing improved and accessible transport options.
- Maintaining and enhancing existing road infrastructure.
- Acknowledging the environmental, economic and public health benefits of alternative transport nodes.
- Linking the walking and cycling network.
- Recognising the social and health benefits of reduced commuting times.

Objective 1

To improve and upgrade transport infrastructure to meet existing and future population.

Strategies

1.1 Provide for an integrated, safe and efficient transport network.
1.2 Ensure new development is provided with safe and efficient vehicular access.
1.3 Identify options for future railway lines and stations, freight centres, freeways, interchanges and arterial roads.
1.4 Ensure that the competitive advantage of rail connections are maximised through integrated land use and transport planning.
1.5 Ensure that the planning and design of transport corridors is sympathetic to and not at the expense of the natural environment and landscape.

Objective 2

To provide safe walking and cycling routes to connect people to destinations.

Strategies

2.1 Ensure that walking and cycling infrastructure is incorporated into the design and development of all new neighbourhoods.
2.2 Ensure new residential estates include a bicycle network linking with the principal bike routes.
2.3 Ensure connectivity through local streets and open spaces to link with employment, retailing, education, transport and community facilities.
2.4 Provide for the safe storage of bicycles at all public destinations such as town centres and railway stations.

Objective 3

To provide for the safe, efficient and effective operation of public transport.
Strategies

3.1 Provide priority for buses at key intersections and on the Principal Public Transport Network.
3.2 Plan for and protect opportunities for the grade separation or upgrade of existing level crossings.

Implementation

The strategies will be implemented through the planning scheme by:

Application of zones and overlays

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays.

- Apply Schedule 1 to the Design and Development Overlay to maintain the boulevard appearance of the Princes Highway.
- Apply Design and Development Overlays to areas requiring specific design solutions.

Policy Guidelines

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.01 (Non-Residential Uses in Residential Zones Policy) seeks to provide direction on a range of discretionary use and development options in residential zones.
- Clause 22.08 (Environmentally Sustainable Development Policy) seeks to ensure development achieves best practice in environmentally sustainable development from the design stage through to construction and operation
- Require that an application for development specified in Table 1 of Clause 22.08 is accompanied by specified assessments, as appropriate.

Further strategic work

- Identify the transport infrastructure required so that the community has a variety of transport options to access jobs, education, recreation, shopping and services.
- Develop a transport network strategy to achieve an integrated strategy that addresses short, medium and long-term transport needs.
- Investigate appropriate strategies for freight handling facilities and transport corridors.
- Develop local area traffic management schemes to reduce the impact of traffic speeds and volumes.
- Investigate the application of the Public Acquisition Overlay.

Reference documents

- Western Melbourne Transport Strategy 2012-2030.
21.10

INFRASTRUCTURE

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

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

21.10-1

Community facilities

One of the greatest challenges for Wyndham will be the capacity of the city to keep up with the demand for infrastructure and services, and to maintain and build the sense of community needed to assure the safety and wellbeing of people.

Rapid population growth results in the need to continually upgrade and improve physical and social infrastructure. The provision of cost-effective infrastructure is a major challenge facing Wyndham. A key aim of the PSP process is to ensure growth areas are sufficiently supplied with different types of community infrastructure. Central to achieving this outcome is the need to set aside sufficient land parcels for the ‘foundation blocks’ of community centres, active open space reserves and government schools.

Rapid growth can also challenge the social fabric where the sense of community will need to be a high priority to assure the safety and wellbeing of people. There will be extra demand for frontline health care, hospital and emergency services and social and emergency housing solutions. Council also has a role in planning, developing and providing physical and social infrastructure and the Access and Inclusion Strategy 2013 has been developed to build a diverse, inclusive, well designed and accessible local communities.

Key issues

- Ensuring infrastructure provision keeps pace with population and housing growth.
- Delivering facilities that support the health and well being of the community.
- Providing solutions that encourage a healthy, well and safe community.

Objective 1

To ensure responsible development of new physical, social and economic infrastructure to meet the needs of the community during rapid growth.

Strategies

1.1 Support convenient access across the municipality to a greater range of health, educational, social and recreational facilities and services.
1.2 Support hubs of integrated community services.
1.3 Support an expansion of the range of educational facilities and services in response to growth and the needs of the community at all stages in its lifecycle.
1.4 Develop and maintain community facilities that are multifunctional and accessible to the community in terms of cost, location, administration and design.
1.5 Support appropriate recreation and community facilities that are compatible with the needs, character and socio-economic profile of the local area.

21.10-2

Development infrastructure

Urban growth requires costly transport, hydraulic, community and recreation infrastructure. While the State Government will continue to provide major infrastructure, it is acknowledged that Council and developers will need to invest in infrastructure to service the City’s projected growth.

Infrastructure funding will be needed if Wyndham’s long term infrastructure requirements are to be met for major local roads, pathways, open space, and key community and recreation facilities.

Key issues

- Ensuring adequate physical infrastructure to accommodate future growth.
Ensuring that growth is staged so that it aligns with the appropriate provision of urban infrastructure.

Ensuring the provision of physical infrastructure minimises any adverse environmental and health impacts.

**Objective 2**

To ensure that requisite urban infrastructure provided at the local level be determined on a transparent and equitable basis.

**Strategies**

2.1 Ensure that development contributions are assessed and required for local infrastructure, as appropriate.

2.2 Ensure that development contributions are specified in Development Contributions Plans.

**Objective 3**

To ensure adequate physical infrastructure for future development needs.

**Strategies**

3.1 Ensure that all forms of residential development are connected to appropriate infrastructure including reticulated water, sewerage, telecommunications, power and stormwater facilities.

3.2 Ensure walking and cycling infrastructure is incorporated into the design and development of new neighbourhoods and with end-of-trip facilities.

3.3 Ensure services meet known and anticipated demands for physical, financial and population growth.

**Implementation**

The strategies will be implemented through the planning scheme by:

**Application of zones and overlays**

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays.

- Apply Design and Development Overlays to protect major gateways.
- Apply Design and Development Overlays to areas requiring specific design solutions.
- Apply Development Contributions Plan Overlays to properly plan for infrastructure provision.

**Reference documents**

- Wyndham Social Infrastructure Plan 2040 (Wyndham City Council 2012).
- Community Health, Wellbeing and Safety 2010-2013.
- The Quality Community Plan (2007).
- Werribee River Shared Trail Strategy (2013).
LOCAL AREAS

This clause focuses on Local Area implementation of the objectives and strategies set out earlier in the Wyndham Planning Scheme. Each section relates to a particular precinct, settlement or town, and should be read in conjunction with the rest of the Municipal Strategic Statement. The vision for development in each of these local areas is that it creates environments that are supportive of the health and wellbeing of Wyndham’s communities.

Little River

Little River is partly located within the municipalities of Wyndham and Greater Geelong. Little River township provides a basic level of services to residents. The following elements pose major physical constraints on future development of Little River:

- Avalon airport is located to the south and the Little River locality is partially affected by an existing flight path and a possible future flight path.
- Avalon airport is being increasingly used and may host international flights in the future.
- Little River is not connected to reticulated sewerage.
- There is limited additional reticulated water available.
- The township is remote from major sources of work, education and services.
- The proposed Lara Intermodal Freight Activity Centre (LIFAC) is to the south-west and the Little River locality is partially affected by potential amenity issues.

Vision

Limited consolidation of development in the Little River area may be justified, subject to resolution of airport noise, infrastructure constraints and development of a township plan.

Local area implementation

- Develop plans for the Little River township precincts and manage their development to avoid overdevelopment, protect the adjoining rural precincts from any detrimental impacts that might arise from the townships’ development, and prevent further expansion of the townships into the surrounding rural precincts.

Settlement

- Restrain development in Little River township and environs based upon significant existing constraints and retention of existing rural village character.

- Develop a township plan to allow for minimal urban development in Little River, within the defined township area taking into account:
  - The implications of development upon nearby rural land use.
  - The effect of aircraft noise upon land use.
  - The appropriate lot size needed to retain waste water onsite.
  - The capacity of existing infrastructure.
  - Implications for drainage and potential flooding.
  - The impact of LIFAC upon land use.
  - The views of relevant agencies and stakeholders.
Infrastructure

- Ensure that development is in accordance with an approved development plan that establishes the urban growth boundary of the township, location of community facilities according to population needs, provision of infrastructure and the staging release of new residential areas.
- Resolve any aircraft noise effects from Avalon Airport prior to consideration of any additional, limited township development.
- Consider an assessment of availability of hydraulic infrastructure as part of consideration of any proposed subdivision.

Eynesbury Station

Eynesbury Station has a total site area of 7420 ha and it lies partly within the municipalities of Melton and Wyndham. A concept for development of Eynesbury Station was identified in the Eynesbury Station Incorporated Plan, September 2001 and is based on ensuring that the property remains in productive agricultural use, that environmental problems are addressed and that heritage and environmental assets are protected. A residential community has been developed on the balance of the land.

Vision

The development of an integrated, innovative residential and recreational community based on principles of environmental, social and economic sustainability.

Local area implementation

- Ensure that any proposed use or development within Eynesbury Station is generally consistent with the Eynesbury Structure Plan.

Settlement

- Protect and enhance the environmental and heritage assets of Eynesbury Station.

Infrastructure

- Provide opportunities for the reuse of water from Surbiton Park Treatment Plant, primarily in connection with the agricultural and recreational components of Eynesbury Station.

Economic Development

- Provide opportunities for the diversification and intensification of agriculture.

Werribee South Township

The Werribee South Township retains a distinctly coastal feel, with strands of Cyprus trees lining the Werribee South Coastal Reserve. The boat launching ramps at the river entrance are heavily utilised, though beach tourism is limited due to the narrow nature of the beach and deepwater channels close to the shore. The proximity of the township to the intensive agricultural precinct results in a sensitive residential-rural interface that must be planned in a way that ensures that agricultural land is protected, while also protecting the viability of the township and retaining the potential for infill development and infrastructure upgrades.

Local area implementation

- Develop plans for the Werribee South township precinct.
- Manage the development of Werribee South to avoid overdevelopment, protect the adjoining rural precincts from any detrimental impacts that might arise from the townships’ development, and prevent further expansion of the townships into the surrounding rural precincts.
**Wyndham Harbour**

The Wyndham Harbour is one of the largest marinas to be built on Port Phillip Bay. It will be the centrepiece of Wyndham Harbour, with a residential community along the bay. The harbour will comprise a breakwater, marine berths, boat storage, commercial uses, dwellings, car parking and public beaches.

**Local area implementation**

- Ensure that any proposed use or development within the Wyndham Harbour is generally consistent with the approved Wyndham Harbour Development Plan.
- Encourage tourism and new transport initiatives through the Wyndham Harbour development.

**Settlement**

- Support the development of the planned Wyndham Harbour.
- Provide a safe, functional and visually attractive harbour as part of an integrated marina and residential development.
- Ensure the use and development of the marina is compatible with existing uses in the vicinity.
- Ensure that development is responsive to the adjoining agricultural environs and does not encroach into the Intensive Agriculture Precinct.
- Manage the development of Wyndham Harbour to protect the adjoining rural precincts from any detrimental impacts.
- Prevent its further expansion into the surrounding rural precincts.

**Infrastructure**

- Provide for marine related leisure activities on Port Phillip Bay.

**Economic Development**

- Ensure that the use and development of the marina complements existing tourist and recreational facilities.
- Provide for a mix of retail, residential, tourism and other complementary uses which meet the demands of the marina.

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**Werribee South and Western Plains South Green Wedges**

There are two designated Green Wedges in Wyndham: the **Werribee South** Green Wedge and the **Western Plains South** Green Wedge. The two Green Wedges make up a large percentage of Wyndham’s land area and accommodate a diverse range of land uses.

Land uses range from intensive agriculture to dry cropping, grazing and quarrying, coastal parks and preservation of biodiversity in grasslands and wetlands, rural townships, tourism, and sewerage and waste treatment, disposal and recycling. Sustainable management of Green Wedges requires an understanding and consideration of the relationships between land uses, both within and adjoining the Green Wedge areas.

**Vision**

The sustainable management of Wyndham’s green wedges.

**Local area implementation**

- Ensure that any proposed use or development is generally consistent with any adopted Green Wedge Management Plan.
Settlement
- Protect Wyndham’s Green Wedges from inappropriate development and urban intrusion.
- Create physical buffers or follow natural or planned barriers to ensure protection.
- Examine options for land adjoining urban areas which may provide economic or recreational opportunities while reinforcing their buffer role.

Environment
- Protect and enhance sites of environmental significance on public and private land within the Green Wedges.
- Encourage continued retention of biodiversity values where they remain in the Western Plains South Green Wedge, especially within the area planned for inclusions in grassland reserves.

Economic Development
- Encourage farming and other compatible rural activities in areas beyond the UGB.
- Recognise the Werribee South Intensive Agriculture Precinct as a primarily agricultural area, promoting the continuation of agricultural activity and protecting farming activities from non-agricultural uses.
- Maintain a strategic buffer between the Werribee South Green Wedge and urban development to the north of the RAAF base.
- Investigate mechanisms to protect and enhance the Werribee South Coastal Reserve and adjoining agricultural land.
- Encourage the appropriate development of tourism within the defined Werribee South Green Wedge Tourism Precinct.
- Protect agricultural land within the Intensive Agriculture Precinct from incompatible land uses.
- Maintain large land holdings for rural land uses and discourage subdivision or development which will reduce land sizes to unviable areas for agriculture or grazing.
- Recognise the significant stone resources west of the Werribee River.
- Apply a minimum 500-metre quarry buffer to sensitive land uses.

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

Application of zones and overlays
The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays as follows:
- Outside PSP areas, apply Environmental Significance Overlay with design guidelines along Werribee River, Skeleton Creek, Lollypop Creek and Little River.
- Apply Design and Development Overlays to areas requiring specific design solutions.
- Apply Development Contributions Plan Overlays to properly plan for infrastructure provision.

Policy Guidelines
The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.
Clause 22.01 (Non-Residential Uses in Residential Zones Policy) seeks to provide direction on a range of discretionary use and development options in residential zones.

Clause 22.04 (Neighbourhood Character Policy) seeks to protect neighbourhood character and ensure development is respectful of its neighbourhood.

**Further strategic work**

- Review the Little River Strategic Land Use Position Statement.

**Reference documents**

- Eynesbury Station Incorporated Plan, September (2001).
LOCAL PLANNING POLICIES

This clause sets out the Local Planning Policies which apply to the area covered by this scheme. Planning policies are directed to land use and development, as circumscribed by the Planning and Environment Act 1987, a primary objective of which is to provide for the fair, orderly, economic and sustainable use and development of land.

These policies must be taken into account when preparing amendments to this scheme or making decisions under this scheme.
NON-RESIDENTIAL USES IN RESIDENTIAL ZONES POLICY

This policy applies to all applications in a residential zone other than those affected by Clause 54 or Clause 55.

Policy Basis

The Municipal Strategic Statement emphasises the protection of the character and amenity of existing and future residential areas. Residential areas require complementary non-residential uses for the convenience of local residents. These uses include display homes, childcare centres, medical centres, veterinary clinics, places of assembly and worship, convenience shops and cafes. However, care must be taken in selecting and siting non-residential uses to avoid loss of privacy, amenity, while still providing convenience to residents living nearby. It is considered appropriate to provide guidelines to adequately protect residential areas, guide uses which have the potential to change the function and character of residential areas and avoid development of defacto commercial strips.

Objectives

- To ensure non-residential uses are appropriately located having regard to the amenity of the local area and nearby residential facilities.
- To ensure the siting and design of proposed buildings and works is compatible with the surrounding area; including car parking areas and advertising signs, fencing, landscaping, lighting, open space, storage amenities and loading facilities.
- To ensure appropriate location of access points and that traffic generation does not have a detrimental impact on the existing road network or pedestrian and vehicular safety.
- To ensure that non-residential uses are designed and managed in a manner that causes minimal loss of amenity, privacy and convenience to people living in nearby dwellings in respect of intensity of use, hours of operation, unreasonable overshadowing, overlooking, noise, traffic impacts, avoidance of light spill, waste management and the provision of facilities.

Policy

General

It is policy to:

- Ensure that the siting and design of buildings and works including car parking areas are sympathetic to the surrounding housing and streetscape and are of a scale and architectural style that is compatible with the residential area.
- Encourage development to include features to reduce noise, loss of privacy and to enhance the appearance of the development by including landscaping to the frontage, utilising screening and acoustic fencing to cause minimal loss of amenity and privacy of people living in nearby dwellings.
- Encourage a landscape setback of a minimum of 3 metres at the road frontages of the property.
- Encourage non-residential uses to locate along roads that are capable of carrying anticipated traffic volumes.
- Discourage major facilities serving catchments beyond the local level in residential areas unless they are located in and adjacent to commercial areas or sited on roads, which avoid extra generation of traffic on residential streets.
- Ensure that any waste generated by the use or development is managed appropriately.
- Ensure all applicable development complies with SEPPN1 Environment Protection Policy (Control of Noise from Commerce, Trade & Industry).
Ensure any security lighting used is not activated continuously, but designed to respond to sensors only.

Encourage advertising signage to be in keeping with Council’s Advertising Policy for residential areas.

Discourage flashing and illuminated signs.

**Display Homes**

- Discourage display homes in existing residential areas.
- Encourage display homes to consolidate into one area to limit impact.
- Ensure that time limits are applied to permits to minimise the impact on residential area.
- Ensure that any lot which is used for car parking is not sold while required for that purpose.
- Encourage land used for car parking areas to be restored to the natural surface after use ceases.
- Ensure that pedestrian access to the display homes is through the car park.
- Encourage hours of operation between 9.00am to 6.00pm seven days a week.

**Child Care Centres**

- Locate open space and outside storage away from abutting residential uses.
- Provide acoustic fencing of a scale and design that protects adjacent residential amenity and the privacy of the children using the centre.

**Medical Centres and Veterinary Clinics**

- Encourage hours of operation between:
  - 8.00am to 9.00pm Monday to Saturday
  - 9.00am to 6.00pm Sunday.
- Ensure that animals remaining on site are enclosed in buildings.

**Places of Assembly / Worship**

- Encourage hours of operation that maintain the residential amenity of the area.
- Ensure compliance with N2 Environment Protection Policy (Control of Music Noise from Public Premises).

**Convenience Shop**

- Encourage commercial deliveries after 7am and before 9pm, on any day of the week.
- Ensure refrigeration equipment is located so as not to be detrimental to nearby residential uses.

**Decision Guidelines**

Before deciding on an application the responsible authority must consider, as appropriate:

- The extent to which the application for a non-residential use meets the objectives and policy statements of this policy.
- The layout of the site, the scale and form of any proposed building, the building design including: setbacks, facade treatment, building materials, colour scheme and proposed landscaping, and whether the proposal is consistent with the surrounding residential environment in these respects.
- The effect of traffic movements on existing networks and whether car parking is sited, marked and sign posted appropriately.
- Whether advertising signs are appropriately sited, dimensioned and non-illuminated.
- Whether a Waste Management Plan is required.
ADVERTISING SIGN POLICY

This policy applies to all land within the City.

Policy Basis

As an extension of metropolitan Melbourne, Wyndham acts as an important gateway to Victoria’s capital city. As such, it contains several urban and non-urban landscapes that are highly valued by the local community and visitors.

The City of Wyndham has identified the need to enhance the city’s image and appearance throughout the municipality. The application of an advertising signs policy will accord and build upon the strategic direction espoused within Wyndham’s Municipal Strategic Statement. It is anticipated that this will improve the visual amenity and aesthetics associated with advertising signs throughout the City of Wyndham.

It is a generally held view that advertising signs act as triggers for economic activity. Given Wyndham’s diverse business activities such as retail (in the various forms of strip shopping, shopping centres, standalone shops), business and land sales associated with new residential and employment estates, it is necessary that applications for advertising signs be assessed with regard to balancing economic benefits of signage and built form, visual amenity and surrounding land uses.

Objective

- To encourage the form and location of signs to respect the character of buildings to which they are attached and the streetscapes to which they are located.
- To encourage the display of signs which are of an appropriate scale and character to the surrounding area.
- To enhance visual amenity via the careful location of signs, especially within and adjoining residential areas.
- To enhance the appearance of City gateways (vehicular, pedestrian and rail) through the effective display of signs and the avoidance of proliferation and visual clutter.
- To prevent or reduce signage clutter to maximise the effectiveness of individual business identification and promotion signs.
- To protect areas of environmental and natural significance (i.e. Skeleton Creek, Werribee River) via limiting signage adjoining or facing onto these reserves.
- To encourage the strategic location of signage for new residential and industrial estates and business parks, having regard to the purpose of the signage, the site context and visual impacts.
- To encourage signage to be of high quality construction and presentation.

Policy

It is policy to:

General

- Encourage advertising signs that have a size and nature which is compatible with the scale of the building and/or site, the surrounding character of the area, and the size and nature of other signs in the area.
- Encourage signs which complement the design and appearance of the buildings on which they are displayed. Discourage signs which inhibit or hinder views of important landscapes, streetscapes or architectural features.
- Encourage signs which are generally located on the land to which they relate.
- Ensure signs are located wholly within property boundaries.
- Discourage signs within or overhanging road reserves and Council land.
- Support signs which are effective and limited in size and number, particularly in rural and residential areas.
- Encourage co-location of signage of multiple occupancies in order to reduce clutter.
- Discourage potentially distracting elements on signs.
- Ensure lighting is designed and baffled to limit light spill beyond site boundaries.
- Encourage the replacement of existing poorly maintained signs with new signage of a similar scale.
- Ensure unnecessary or inappropriately located signs are removed when a new sign is installed.
- Discourage the location of signs (illuminated and non-illuminated) which will adversely impact on residential amenity.
- Ensure signage does not dominate gateways to the City or to business centres, or along major arterials, and support signs which effectively define a gateway while also being sensitive to the amenity of adjoining land uses.
- Discourage signage in the form of trailers, bunting, balloons, and discourage reflective, flashing and animated signs, due to resultant clutter, visual disorder and amenity impacts.
- Discourage signage in a V-Board configuration on verandahs or awnings, at intersections where they may impede visibility, or in locations where they will have an overly dominant impact on streetscape.
- Discourage sky signs which have an overly dominant impact on streetscape.
- Discourage signs which protrude above the height of building rooflines, beyond fascias, parapets or walls.

- Encourage illuminated signs at ground level which add vitality to a centre and/or create a safer environment at night, provided that the sign is in scale with the building and does not abut a Category 3 - High amenity area at Clause 52.05-9 of this Scheme.
- Ensure signs on perimeter fences are limited in size and number and do not dominate the streetscape.
- Ensure signage utilising A-frames is no larger than 1.5 square metres (including both sides), is limited to one per frontage, and will not result in visual clutter.
• Support signage on outdoor furniture (e.g. tables, chairs and umbrellas for an outdoor café) which is appropriate to the setting and does not create visual clutter.

• Signs along freeways and/or highways are discouraged.

**Category 1 – Commercial Areas**

• Support signage that attracts patrons to business areas, effectively promote goods and services and enhance the commercial centre’s character and vitality.

• Ensure pole signs are set back from the street, contained within the site, and the number of pole signs is limited to one per frontage, with the aim of preventing visual clutter.

• Discourage signage facing residential areas or zones unless it can be shown that the signage is appropriate to the adjoining residential character of the area.

**Category 2 – Office and Industrial**

• Ensure pole signs are set back from the street, contained within the site, and the number of pole signs is limited to one per frontage with the aim of preventing visual clutter.

• Encourage signs to be located within the existing building line and/or envelope.

• Ensure signs do not dominate building façades, walls, parapets or landscaped surroundings.

• Ensure signs at the upper level façade are appropriate to the scale of the building.

• Ensure internally illuminated signs are limited in size, number and scale and are appropriate to the character of the area.

**Category 3 – High Amenity Areas**

**Residential and Rural Areas**

• Support signs that are low profile and do not significantly impact on the character of residential areas.

• Ensure internally illuminated/floodlit signs will not adversely impact on amenity.

• Ensure internally illuminated/floodlit business identification signage is restricted to the operating hours of the business to which it relates.

• Encourage signs to be fixed on buildings except on heritage buildings.

• Ensure signs above front fence height are appropriately set back from the road reserve.

• Allow small scale non-residential uses (e.g. home occupation) low profile business identification signage not exceeding 1.8 metres in height, and a total advertising area not exceeding 1 square metre.

• Encourage medical centres to be limited to a maximum signage area of 2 square metres, unless the site has more than one frontage or adjoins a Road Zone.

• Encourage large scale free-standing non-residential uses (e.g. petrol stations) to be limited to a pole sign and a low profile parapet/wall/fascia business identification sign.

• Discourage signage on windows where it exceeds 50 per cent of the window area, blocks solar access, or where it detracts from the appearance of the building.

**Category 4 - Sensitive Areas**

• Support signs on buildings facing areas of public open space, the coastline and waterways provided that the signs are appropriate to the scale of the building and will have limited visibility from areas of natural and environmental significance.

• Ensure signs do not dominate landscape surrounds of parkland and open space.
- Ensure freestanding signs face away from areas of public open space, the coastline and waterways.
- Encourage signs facing areas of significance to be finished in muted and/or earthy tones and colours.
- Ensure wording on signs facing areas of significance is limited to business identification name only.

Other

New Residential and Employment Estates

- Discourage new estate signage which is larger than the preferred maximum area of 25 square metres.
- It is policy to assess proposals for on-site estate signage against the following criteria:
  - For road frontages of less than 150 metres - limited to one sign per road frontage.
  - For road frontages of more than 150 metres - multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than four signs per frontage. This does not apply to signage for land sales office and display homes or villages.
- It is policy to assess proposals for off-site estate signage against the following criteria:
  - Signs are to be located at least 200 metres from any other promotion sign advertising the same estate.
  - No more than four signs per estate.
  - Signs are preferred to be located within three kilometres of the subdivision to which they relate.
- It is policy to assess proposals for display village signage against the following criteria:
  - The combined maximum area of signs should not exceed 7 square metres per display home frontage (including temporary A-frame signs) and each sign should not exceed 2 square metres of advertisement area.
  - A-frames are limited to two A-frames per frontage and each A-frame should not exceed 1.5 square metres in total advertisement area.
  - The combined maximum area of signage for land sales office should not exceed 15 square metres.
  - Perimeter signage associated with the sales office may be used to screen construction works and provide opportunities for branding while the estate is in its development and sales phase.

- Encourage the development of estate signage strategies to provide rationale for signage from a whole-of-estate approach.
- Proposals that do not meet these criteria may still meet the objectives of this policy.

Gateways

- Encourage gateway signs that enhance major entrances to the municipality by positively contributing to urban design.
- Encourage the location of signs (including major promotion signs) where it can be demonstrated that the signs have been sited to:
Minimise impacts on viewing corridors.
- Not adversely impact on the visual amenity of surrounding residential areas.

Discourage major promotion signs, sky signs and pole signs on open sites where they will be a dominant visual element in the landscape and detract from the visual amenity of the road, pedestrian or rail corridor.

**Major Promotion Signs and Promotion Panel Signs**

- Encourage signs which provide an architecturally interesting skyline and silhouette.
- Ensure major promotion and promotional signs are generally only erected at focal points within major or regional commercial centres on main roads, industrial estates or on major transport routes, and are in scale with the built form of their immediate locality.
- Ensure major promotion signs and sky signs are spaced at a sufficient distance to ensure they do not dominate the overall setting, and their advertising impact is not reduced.
- Encourage all supports, cabling, lighting and electricals to be concealed from the overall sign design.

**Heritage**

- Ensure advertising is designed and located in a manner that conserves heritage places, protecting and enhancing what is valued about the building or place.
- Ensure signs in heritage colours complement the finishes of the heritage place and located where signs were traditionally located.

**Application Requirements**

An application for advertising signage must be accompanied by the following information:

- A description of the signage and its purpose.
- The location of the proposed sign on the site or building in the form of site and elevation plans.
- The dimensions of sign, and height above ground level of the proposed sign.
- The details of any form of illumination.
- The indicative colour(s), wording and lettering style of the proposed sign.
- An elevation or photomontage showing the proposed sign in its context to the site and (if necessary) showing its impact on any neighbouring signs, buildings and streetscapes.
- An estate signage strategy for new residential estates, business parks and industrial estates, to include all existing and proposed signage.
- An assessment of the proposal against the relevant planning policy.

All plans must be drawn to scale and fully dimensioned.
ELECTRONIC GAMING POLICY
This policy applies to all applications to use or install an electronic gaming machine (EGM) or establish a new gaming venue under clause 52.28.

Policy Basis
This policy is informed by the Wyndham City Council’s Strategic Planning Policy Framework – Electronic Gaming (2012).

Gaming is a legitimate form of recreation, however, research indicates there are significant social and economic costs to those in the community who are vulnerable to problem gambling. The location, design and operation of gaming venues can assist in reducing the harm caused by EGMs and maximise the benefits to a community.

Objectives
- To identify locations where the installation of EGMs, whether in an existing or new gaming venue, are either discouraged or encouraged.
- To identify design and operational elements for existing and new gaming venues that are encouraged.
- To provide for access to gaming venues while deterring impulse gaming.

Policy
It is policy that proposals for gaming machines are assessed against the following policy priorities to:
- Discourage the use and installation of EGMs in areas of socio economic disadvantage.
- Discourage clustering of EGM venues.
- Discourage EGM venues from residential neighbourhoods.
- Locate EGM venues:
  - In or near activity centres in controlled circumstances.
  - In areas which are characterised by specialised industries or businesses, restricted retail and recreational or tourist activities.
- Separate venues from areas of every day neighbourhood activity with high levels of pedestrian activity.
- Incorporate a mix of non-gaming functions in venues.
- Design venues that are attractive and incorporate harm minimisation measures.

Within this framework the following more specific assessment provisions apply:

Siting
The installation of EGMs is discouraged:
- In or adjoining a Statistical Area Level 1 (SA1) which, according to the most recent SEIFA index of relative disadvantage, is in the state's lowest 20% of relative disadvantage.
- In the rural townships of Wyndham where EGMs do not currently exist.
- Within 400 metres walking distance of an existing or approved gaming venue.
- In a location passed by a considerable number of pedestrians going about their daily activities.
Within or on the edge of a neighbourhood centre.

On land zoned for commercial use where a shopping complex or strip shopping centre has not been fully established or on land identified as a future activity centre in an approved Precinct Structure Plan, unless it can be clearly demonstrated that the location and operation of the venue will:

- effectively separate the venue from shops and other convenience services and areas with high levels of pedestrian traffic to discourage impulse gaming; and
- meet the other requirements of this policy.

Gaming venues should be located:

- Where the majority of patrons will need to make a conscious plan to travel to the venue.
- Where patrons will have a choice of recreational and entertainment options other than gaming.
- At the periphery of an activity centre, shopping strip or shopping complex which serves an extensive catchment, preferably separated from the core retail, commercial and civic area(s) of the centre.

Design

The siting and design of EGM venues should ensure:

- Gaming is not a prominent feature of the venue or the neighbourhood.
- Signs are modest in size and discreet in nature.
- Vehicle and patron access is from a main road and not from local roads.
- Car parks serving a use that attracts many people are functionally separated from a gaming venue and its car park.
- Convenient pedestrian access is not provided from large car parks serving other uses.

Operation

The gaming area should be:

- A component of sporting, recreational and entertainment activities on the site.
- Closed for the playing of EGMs when other areas of the venue and other establishments in the vicinity of the venue which provide alternative recreation and entertainment are closed.
- Managed to minimise potential harm to problem gamblers and adverse impacts on the amenity of the area.

Application Requirements

An application to use or install an EGM or establish a new gaming venue must include:

- The number of EGMs sought to be installed at the venue.
- If EGMs are being transferred from another venue within the municipality, an analysis as to how the EGMs are being 'transferred' and how EGMs would be precluded from being re-installed into the venue from which the EGMs are to be transferred.
- Details or expected patronage or increased patronage.
- Details of expected staffing level or increased staffing levels.
- An assessment of the social and economic benefits and costs associated with the proposal.
- An assessment of the socio-economic profile of SA1s within 400 metres of the subject land.
- Details of any proposed venue management and/or harm minimisation plan or strategy under which the venue will operate and which might be secured by planning permit condition.
- Details of additional gambling and non-gambling recreation and entertainment that will be available at the venue and their hours of operation.

- Details of compliance with relevant Victorian Commission for Gambling and Liquor Regulation (VCGLR) administered gaming regulations for premises layout and design.

- A locality plan(s) identifying adjoining and adjacent built form and land use, built form and land uses in the area and the site of the closest residential dwelling/street and closest shopping area.

- Detailed site plans, floor plans and elevations showing all internal and external areas and dimensions.

- Landscaping plans and a schedule of external materials.

- A parking assessment for the venue accounting for the capacity generated by the application.

- Details of operating hours for all activities at the venue.

- Details of signage proposed for the venue.

The responsible authority may waive or reduce any application requirement.

References

*Wyndham City, Strategic Planning Policy Framework – Electronic Gaming (2012)*
NEIGHBOURHOOD CHARACTER

This policy applies to all planning permit applications where a permit is required for development in a residential zone under the Wyndham Planning Scheme.

Policy Basis

The MSS (at Clause 21.07-2) notes that the Wyndham Neighbourhood Character Scoping Study 2012 identified five broad neighbourhood character types in the established residential areas of the city being Contemporary Garden; Garden Suburban; Garden Court; Bush Garden; and Coastal Garden. These areas are identified on the attached map.

Objectives

- To recognise places of distinct neighbourhood character.
- To define aspects of neighbourhood character that are important in designing infill development.

Policy

It is policy to:

Assess proposals for residential development that require planning permission against the following criteria:

22.04-3.1 Garden Suburban Character Type area:

- Encouraging retention of older, ‘character’ buildings of the Victorian, Edwardian or Interwar eras.
- Protection of the existing tree canopy where well established.
- Provision for new canopy trees where lacking.
- Pattern of dwelling spacing of 1 to 2m from side boundaries.
- Low front fencing or open frontage with no fencing.
- Interface with open spaces and creek or river corridors.

22.04-3.2 Garden Court Character Type area:

- Protection of existing tree canopy where well established.
- Provision for new canopy trees where lacking.
- Pattern of dwelling spacing of 1 to 2m from side boundaries.
- Low front fencing or open frontage with no fencing.
- Interface with open spaces and creek or river corridors.

22.04-3.3 Large Lot Garden Court Suburban Character Type area:

- Protection of existing tree canopy where well established.
- Provision for new canopy trees where lacking.
- Pattern of dwelling spacing of 2 to 4m from side boundaries.
- Low front fencing or open frontage with no fencing.
- Interface with open spaces and creek or river corridors.
22.04-3.4 **Bush Suburban Character Type area:**
- Protection of existing tree canopy which includes many native trees.
- Provision for new canopy trees where lacking.
- Native landscaping theme.
- Pattern of dwelling spacing of 4 to 8m from side boundaries.
- Open frontage with no fencing or rural style front fences.
- Rural road treatment.
- Interface with open spaces and creek or river corridors.

22.04-3.5 **Contemporary Garden Suburban Character Type area:**
- Provision for new canopy trees.
- Landscaping in small spaces.
- Open front boundary treatment or very low fences.
- Interface with open spaces and creek or river corridors.

22.04-3.6 **Coastal Garden Suburban Character Type area:**
- Protection of existing tree canopy which includes many native trees and coastal planting.
- Provision for new canopy trees where lacking.
- Native or coastal landscaping theme.
- Pattern of dwelling spacing of 1m from side boundaries.
- Low front fencing or open frontage with no fencing.
- Rural or informal road treatment.
- Interface with, and views to, Werribee River, Werribee South Beach and adjoining rural areas.

22.04-4 **Application Requirements**
An application to develop land in a residential zone must include the following information (as appropriate):
- A report which identifies how the development responds to the Character Type within which the site is located.

If, in the opinion of the responsible authority all of the above requirements are not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

22.04-5 **Decision guidelines**
Before deciding on an application the responsible authority will consider, as appropriate:
- The detail of the character type within which the site is located.
- Whether the proposal satisfies the objectives and policy directions.
- Whether proposals that do not meet these criteria, still meet the objectives of this policy.

22.04-6 **Policy References**
*Wyndham Neighbourhood Character Scoping Study 2012*
HERITAGE CONSERVATION POLICY

This policy applies to all land within the City of Wyndham.

Policy Basis

Wyndham’s landscape has experienced major changes in the past few decades with rapid growth in the areas of residential development and industry. However, many of Wyndham’s heritage places consist of remnants of the municipality’s rural beginnings and early settlement of the Western Plains. The protection and management of these significant heritage assets helps our understanding of the past, enriches the present and will be of value to future generations.

The Municipal Strategic Statement states that significant areas and features of the built and natural environment will be protected and enhanced and that environmental and heritage values will be maintained. The protection and enhancement of significant heritage sites within Wyndham will help residents appreciate the history and development of their local area, providing historic continuity and a sense of place.

Objectives

- To recognise, conserve and enhance places in Wyndham identified as having architectural, cultural, natural or historic significance.
- To ensure that any additions, alterations and replacement buildings are sympathetic to the heritage area and/or surrounds.
- To ensure that the cultural significance of a site, involving the aesthetic, historic, scientific, architectural or social value of a place to past, present and future generations, is assessed and used to guide planning decisions.
- To promote a better appreciation and wider understanding of the City’s heritage.
- To encourage the retention of cultural heritage places and ensure that these places are recognised and accorded appropriate protection.

Policy

It is policy to:

- Ensure that proposals for alterations, works or demolition of an individual heritage building are accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter).
- Ensure new development and the construction of external alterations to buildings makes a positive contribution to the built form and amenity of the area and are respectful of the architectural or historic character and appearance of the streetscape and area.
- Ensure an application to demolish an individually significant building or site is accompanied by a report that demonstrates whether there is sufficient justification for not retaining the building or site.
- Discourage demolition approvals until replacement buildings or works have been approved.
- Ensure the use and development of cultural heritage places and adjoining land be compatible with and not adversely affect the significance of cultural heritage places.
- Encourage the retention and conservation of dry stone walls.
**Decision Guidelines**

Before deciding on an application for demolition, the responsible authority will consider, as appropriate:

- The degree of heritage significance.
- Whether the demolition or removal of any part of the building contributes to the long term conservation of the significant fabric of that building.
- Whether the demolition or removal is justified for the development of the land.
- The cost of demolition compared to the cost of restoration.
- Whether there are any structural integrity issues which justify demolition.

Before deciding on an application to use or develop land, the responsible authority will consider, as appropriate:

- The potential impact of the proposal on the heritage values of the site and/or its setting and area.
- Whether new buildings and works will be compatible with the characteristics of the heritage place and be undertaken generally in accordance with any guidelines prepared by the responsible authority.
- Whether the design, bulk and setback of any new buildings and works are responsive to existing heritage assets.
- Whether the surface materials, or a new building, an addition or alteration to an existing building are respectful.

**Policy References**

*Heritage of the City of Wyndham Volume 1, Heritage of the City of Wyndham Volume 2.*

*Wyndham Heritage Study 1997.*

*Wyndham City Council Review of Heritage Sites of Local Interest, 2004.*

*Wyndham North Heritage Study, 2013.*

*Wyndham Dry Stone Wall Study, 2015*
INTERIM TELECOMMUNICATIONS CONDUIT POLICY

This policy applies where a permit is required for the subdivision of land.

Policy basis
The Federal Government has undertaken to provide broadband telecommunication access to 90% of the Australian population through the installation of optical fibre cables. Optical fibre provides increased data carrying capacity and will allow for faster access to multimedia services, larger data files and new telecommunication tools.

Providing underground conduit infrastructure for optical fibre cables in new subdivisions before the completion of development is efficient, cost effective and provides infrastructure ready to meet the needs of communities.

This policy is an interim measure until such time as the provision of broadband telecommunication service to new subdivisions is legislated for and implemented by the Federal Government.

Objective
To ensure the provision of a network of open access conduits for optical fibre cabling to facilitate broadband telecommunications services in a timely, efficient and cost effective manner.

Policy
It is policy that:

- New subdivisions are provided with open access underground conduits to carry optical fibre at the development stage. This may be waived if the responsible authority considers provision is unwarranted.

- All subdivision applications include a plan showing the conduit network for the subdivision, to the satisfaction of the responsible authority.

- Conduits be provided in accordance with a plan approved by the responsible authority.

- Subdivision permits include a condition requiring the conduit and associated infrastructure to be protected from damage to the satisfaction of the responsible authority.

- Ownership of a conduit will vest in Council, and may be transferred to another agency or a telecommunications carrier at a later date.

- Where a conduit crosses private land, an easement may be required in favour of Council.
DRY STONE WALLS

This policy applies to all permit applications to demolish, remove or alter a dry stone wall specified in the schedule to the Heritage Overlay.

This policy also applies to all permit applications for the subdivision of land containing a dry stone wall specified in the schedule to the Heritage Overlay.

Policy Basis

Dry stone walls are one of the characteristic features of Melbourne’s western basalt plains. They were constructed as part of the general fencing of private property, and were among the first European constructions on the plains, coming soon after land tenure was established.

Dry stone walls in Wyndham are of historical and aesthetic significance, and in some cases social and archaeological or scientific significance for their association with and physical demonstration of the process of survey, subdivision, alienation and development of land from the period of first land sales, to the late nineteenth century.

The risk of loss of cultural heritage posed by urban development occurring in Wyndham’s growth fronts poses a threat to the conservation of dry stone walls. Good planning and design outcomes should be developed for managing dry stone walls to ensure that this important aspect of Wyndham’s heritage is retained.

Objectives

- To encourage the retention and conservation of dry stone walls.
- To ensure the cultural significance of dry stone walls is not adversely impacted by the construction of nearby buildings and works.
- To ensure that planning applications to demolish, remove or alter a dry stone wall or to subdivide land containing a dry stone wall are assessed against the guidelines set out below.
- To encourage the retention of the cultural significance of a dry stone wall when any demolition, alterations or additions take place.

Policy

The following hierarchy of preference will be adopted when considering a planning application relating to a dry stone wall:

- Retention and conservation in original setting
- Avoid impacts to the dry stone wall in new development.
- Reconstruction on new alignments.
- Demolition and removal.

Demolition and removal

It is policy to:

- Discourage the demolition of a dry stone wall unless it can be demonstrated that the demolition is appropriate.

Guidelines

The following guidelines apply in the application of the policy:

- Discourage the demolition and removal of a dry stone wall unless it is demonstrated that:
  - The wall lacks historic value; or
- The wall is structurally unsound; or
- The wall’s removal is required for the purpose of utility installation and roads; or
- Demolition of the wall is appropriate on the basis of any other reasonable circumstance.

### 22.07-3.2 Subdivision

It is policy to:

- Ensure the cultural significance and landscape values of dry stone walls are retained in new subdivisions.

**Guidelines**

The following guidelines apply in the application of the policy:

- The design and layout of subdivisions should:
  - Retain dry stone walls in an open area where lots front on to public open space or roads in locations that do not impact on the passive surveillance of the open space.
  - Incorporate a dry stone wall reserve comprising of a 5 metre strip centred in the middle of the wall, wherever possible. Avoid engineering works occurring within the 5 metres strip.
  - Minimise new openings through walls and utilise existing historic openings for entrances into new subdivisions, in a manner that minimises the impact on the wall.
  - Locate new buildings at an appropriate distance from any dry stone walls to be retained, taking account of the depth of proposed foundations, disturbance to bedrock, and mitigation works to protect the walls during construction.

### 22.07-3.3 Additions and alterations

It is policy to:

- Ensure the cultural significance and integrity of dry stone walls are not adversely impacted through the construction of additions or alterations.

**Guidelines**

The following guidelines apply in the application of the policy:

- Maintain the original alignment and construction style of a wall in any addition or alterations to walls.
- Ensure the adaptation of a dry stone wall utilises materials, design and construction techniques that are compatible with the existing wall.
- Ensure the demolition or removal of a section of a dry stone wall does not change its alignment or style.
- Minimise new openings in walls where possible.
- Ensure the construction of new wall ends when any section of a dry stone wall is demolished for a through way.
- Discourage increases in the height of walls through the addition of new stone courses.
- Discourage the use of mortar in the repair of dry stone walls.
Reconstruction of dry stone walls

It is policy to ensure that the reconstruction of dry stone walls is undertaken in accordance with the following guidelines:

- Reconstruction of dry stone walls should be undertaken by a professional dry stone waller utilising stone which matches the original type and design of the wall to the satisfaction of the Responsible Authority.
- Mortar should not be used in the reconstruction of dry stone walls.
- Stone removed and not reinstated should be used to repair or rebuild walls elsewhere or stockpiled for this purpose in the future.
- The original alignment and construction style of a wall should be maintained in the reconstruction of a wall.
- Wall ends at openings should be reconstructed as proper vertical tied end walls.

Application requirements

Unless otherwise agreed to by the Responsible Authority, an application to demolish, remove or alter a dry stone wall or to subdivide land containing a dry stone wall, must be accompanied by a dry stone wall management plan, which includes the following (but not limited to):

- A written report that explains how the proposal seeks to manage the conservation of the dry stone wall consistent with the management recommendations set out in the Wyndham Dry Stone Walls Study (2015);
- A justification for the proposed alteration, removal or demolition of the wall;
- Process for repair/reconstruction of wall ends or reinstatement of wall sections, including original fencing materials;
- The method of adaptation and integration of walls into new urban spaces;
- Options for the conservation and management of dry stone walls, and the mitigation of impacts where these cannot be avoided; and,
- Plans and elevations (A3 size) including (but not limited to):
  - Feature survey of all dry stone walls showing the width, length and height of the walls and record of any openings, crossovers, structures, fencing, driveways or distinguishing features of the walls;
  - The extent of alteration, addition or demolition required and the details of the alignment of any additions or alterations;
  - Materials and size of any proposed new fence; and
  - Representative photographs of the section of the wall.

Decision Guidelines

Before deciding on an application the responsible authority will consider:

General

- The views of other landowners of the same dry stone wall, where ownership is shared between multiple property owners. Those views may be sought using Section 52 of the Planning and Environment Act 1987 (unless exempt under the provisions of clause 43.01-3).
- The heritage significance of the dry stone wall as cited in the relevant Statement of Significance.
- Any requirements or guidelines relating to the dry stone wall in a Precinct Structure Plan.
Subdivision

- Whether the subdivision avoids damage to or demolition of dry stone walls.
- Whether existing gaps and openings are utilised as far as possible.
- Whether the design provides for the conservation and maintenance of walls within suitable land and curtilage, for example linear reserves.
- Whether there are opportunities to relocate and reconstruct walls.

Policy Reference

Wyndham Dry Stone Walls Study (2015)
ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

This policy applies throughout the City of Wyndham to residential and non-residential development that requires a planning permit in accordance with the thresholds in Table 1 of this Policy.

Policy basis

Wyndham City Council is committed to creating an environmentally sustainable and liveable city; where development meets the needs of the present without compromising the ability of future generations to meet their own needs. Critical to achieving this commitment is for development to meet appropriate environmental design objectives.

This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management.

If environmentally sustainable design is not considered at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval. In addition, there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design principles.

This policy does not prescribe performance outcomes. The policy enables the provision of information and provides decision guidelines which will assist in the assessment of whether development meets environmentally sustainable development objectives.

This policy complements a range of non-statutory measures aimed at encouraging environmentally sustainable development. These measures include educating residents and applicants, assisting applicants to use Environmentally Sustainable Development (ESD) tools, leading by example with Council projects, promotion of exemplary private projects and promotion of use of materials with favourable life cycle impacts.

Objectives

The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

It is a policy to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

The following objectives should be satisfied where applicable:

Energy performance

- To improve the efficient use of energy, by ensuring development demonstrates design potential for ESD initiatives at the planning stage.
To reduce total operating greenhouse gas emissions.

To reduce energy peak demand through particular design measures (eg, appropriate building orientation, shading to glazed surfaces, optimise glazing to exposed surfaces, space allocation for solar panels and external heating and cooling systems).

**Water resources**

- To improve water efficiency.
- To reduce total operating potable water use.
- To encourage the collection and reuse of stormwater.
- To encourage the appropriate use of alternative water sources (eg, greywater).

**Indoor environment quality**

- To achieve a healthy indoor environment quality for the wellbeing of building occupants, including the provision of fresh air intake, cross ventilation, and natural daylight.
- To achieve thermal comfort levels with minimised need for mechanical heating, ventilation and cooling.
- To reduce indoor air pollutants by encouraging use of materials with low toxicity chemicals.
- To reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
- To minimise noise levels and noise transfer within and between buildings and associated external areas.

**Stormwater management**

- To reduce the impact of stormwater run-off.
- To improve the water quality of stormwater run-off.
- To achieve best practice stormwater quality outcomes.
- To incorporate the use of water sensitive urban design, including stormwater re-use.

**Transport**

- To ensure that the built environment is designed to promote the use of walking, cycling and public transport, in that order.
- To minimise car dependency.
- To promote the use of low emissions vehicle technologies and supporting infrastructure.

**Waste management**

- To ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development.
- To ensure durability and long term reusability of building materials.
- To ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

**Urban ecology**

- To protect and enhance biodiversity within the municipality.
- To provide environmentally sustainable landscapes and natural habitats, and minimise the urban heat island effect.
- To encourage the retention of significant trees.
- To encourage the planting of indigenous vegetation.
- To encourage the provision of space for productive gardens, particularly in larger residential developments.

**Policy**

It is policy that applications for the types of development listed in Table 1 be accompanied by information which demonstrates how relevant policy objectives will be achieved.

**Application requirements**

An application must be accompanied by either a Sustainable Design Assessment or a Sustainability Management Plan as specified in Table 1, as appropriate.

A Sustainable Design Assessment will usually not need to be prepared by a suitably qualified professional. It should:

- Provide a simple assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identify environmentally sustainable development measures proposed in response to policy objectives, having regard to the site’s opportunities and constraints.

A Sustainability Management Plan should:

- Provide a detailed assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identify achievable environmental performance outcomes having regard to the objectives of this policy (as appropriate); and
- Demonstrate that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site’s opportunities and constraints; and
- Document the means by which the performance outcomes can be achieved.

Various assessment tools have been listed in Table 1 which may be used to assess how the proposed development addresses the objectives of this policy, as appropriate.

**Table 1 – ESD Application Requirements**

<table>
<thead>
<tr>
<th>Type of development</th>
<th>Application requirements</th>
<th>Example tools</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation /Mixed Use with residential component</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 2 - 9 dwellings; or</td>
<td>Sustainable Design Assessment (SDA)</td>
<td>BESS</td>
</tr>
<tr>
<td>- Development of a building for accommodation other than dwellings with a gross floor area of 500m² to 1,999m².</td>
<td>STORM</td>
<td></td>
</tr>
<tr>
<td>- 10 or more dwellings; or</td>
<td>Sustainability Management Plan (SMP)</td>
<td>BESS</td>
</tr>
<tr>
<td>- Development of a building for accommodation other than dwellings with a gross floor area more than 2,000m².</td>
<td>Green Travel Plan (GTP)</td>
<td>Green Star</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MUSIC</td>
</tr>
<tr>
<td></td>
<td></td>
<td>STORM</td>
</tr>
<tr>
<td><strong>Non-residential</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type of development</td>
<td>Application requirements</td>
<td>Example tools</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>--------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Development of a non-residential building with a gross floor area of 500m² and 1,999m².</td>
<td>Sustainable Design Assessment (SDA)</td>
<td>BESS</td>
</tr>
<tr>
<td>Alterations and additions between 500 m² and 1,999m².</td>
<td></td>
<td>MUSIC</td>
</tr>
<tr>
<td>Development of a non-residential building with a gross floor area more than 2,000m².</td>
<td>Sustainability Management Plan (SMP)</td>
<td>Green Star</td>
</tr>
<tr>
<td>Alterations and additions greater than 2,000m².</td>
<td>Green Travel Plan (GTP)</td>
<td>BESS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MUSIC</td>
</tr>
<tr>
<td></td>
<td></td>
<td>STORM</td>
</tr>
</tbody>
</table>

Note 1: Development (in Table 1) has the same meaning as in Section 3 of the Planning and Environment Act 1987, but does not include subdivision. To remove any doubt, development also includes alteration and additions. In the case of alterations and additions, the requirements of the Policy apply only to the alterations and additions.

Note 2: Mixed Use developments are required to provide the information applicable to each use component of the development.

**Decision guidelines**

In determining an application, the responsible authority will consider as appropriate:

- The extent to which the development meets the objectives and requirements of this policy from the design stage through to construction and operation.
- Whether the proposed environmentally sustainable development performance standards are functional and effective to minimise environmental impact.
- Whether the proposed environmentally sustainable development initiatives are reasonable having regard to the type and scale of the development and any site constraints.
- Whether an appropriate assessment method has been used.
- Whether an ESD plan or framework has previously been approved by the responsible authority (whether under a planning control or otherwise).

**Reference documents**

**BESS (Built Environment Sustainability Scorecard)** www.bess.net.au, Council Alliance for a Sustainable Built Environment (CASBE), 2015


**Nationwide House Energy Rating Scheme (Nat HERS)**, Department of Climate Change and Energy Efficiency, www.nathers.gov.au


Note: The above reference documents and websites may be amended from time to time. It is intended that these documents and websites (or amended versions) are relevant reference documents to this policy.

**Commencement**

This policy does not apply to applications received by the responsible authority before the gazettal date of this clause.
Expiry

This policy will expire if it is superseded by a comparable provision in the Victoria Planning Provisions.
RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – 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>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>- 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<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>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>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>

**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>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------</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>All green wedge land</td>
</tr>
</tbody>
</table>

### Dimensions Above Which A Permit Is Required To Construct An Outbuilding

None specified
MIXED USE ZONE
Shown on the planning scheme map as MUZ with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
To provide for housing at higher densities.
To encourage development that responds to the existing or preferred neighbourhood character of the area.
To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Objectives
A schedule to this zone may contain objectives to be achieved for the area.

Table of uses
Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
</tbody>
</table>
### Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>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 production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>– if the Section 1 condition is not met</td>
<td></td>
</tr>
<tr>
<td>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>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
</tbody>
</table>
Use

Materials recycling
Transfer station
Stone extraction

32.04-3
31/07/2018
VC148

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.04-4
31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
Class of application | Information requirements and decision guidelines
---|---
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.

Clause 59.02

---

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

---

Class of application | Information requirements and decision guidelines
---|---
Construct an outbuilding or extend a dwelling if the development:
- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.

Clause 59.14
Class of application

- Meets the requirements in the following standards of Clause 54:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
An application for a planning permit lodged before the approval date of Amendment VC136.

An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**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.

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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.

WYNDHAM MIXED USE AREAS

1.0

Objectives

None specified.

2.0

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></td>
<td>B28</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement

None specified.

4.0

Exemption from notice and review

None specified.

5.0

Application requirements

None specified.

6.0

Decision guidelines

None specified.
TOWNSHIP ZONE

Shown on the planning scheme map as TZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for residential development and a range of commercial, industrial and other uses in small towns.

To encourage development that respects the neighbourhood character of the area.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone may contain the neighbourhood character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
</tbody>
</table>
### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Dependent person’s unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry (other than Transfer station and Refuse disposal)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td>Must meet the threshold distance requirements in the Table to Clause 53.10.</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus and Place of worship)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Retail premises (other than Adult sex product shop)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must meet the threshold distance requirements in the Table to Clause 53.10.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Dwelling – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
</tbody>
</table>
Use

Refuse disposal
Saleyard
Stone extraction

32.05-3
27/03/2017
VC110

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
27/03/2017
VC110

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
31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.

- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 or more lots</td>
<td>Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>Clauses 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4.</td>
</tr>
</tbody>
</table>
### Objectives and standards to be met

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5 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>
<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 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        | Clause 59.03 |
| associated with one dwelling.                                                       |              |
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.

WYNDHAM 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>Minimum street setback</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0 Maximum building height requirement for a dwelling or residential building

None specified.

3.0 Application requirements

None specified.

4.0 Decision guidelines

None specified.
RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide housing at increased densities in buildings up to and including four storey buildings.
To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
To ensure residential development achieves design objectives specified in a schedule to this zone.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Design objectives

A schedule to this zone must contain the design objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
</tbody>
</table>

**Section 2 – Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>- 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Bottle shop and Convenience shop)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone. 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 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>Domestic animal boarding</td>
</tr>
<tr>
<td>Horse husbandry</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>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>
</tbody>
</table>
Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
### 32.07-4

#### 31/07/2018

#### VC148

#### WYNDHAM PLANNING SCHEME

#### Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
</tr>
<tr>
<td>- Has started lawfully.</td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
</tr>
</tbody>
</table>

---

#### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres. A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
</tr>
</tbody>
</table>

- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.
- Meets the requirements in the following standards of Clause 54:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.
Class of application | Information requirements and decision guidelines
--- | ---

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 basements, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

#### Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
An application for an amendment of a permit under section 72 of the Act, if the original permit
application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant
standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged
care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2
of Clause 32.07-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column
1 is a class of VicSmart application and must be assessed against the provision specified in Column
2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td></td>
</tr>
</tbody>
</table>

- The building or works is not associated with a dwelling.
- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.
Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
- The siting and use of existing and proposed buildings.
- Adjacent buildings and uses.
- The building form and scale.
- Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### Exemption from notice and review

#### Subdivision

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### General

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

#### Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

#### Dwellings and residential buildings

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.
Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.07-14 Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ1.

1.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building

None specified.

3.0

Application requirements

None specified.

4.0

Decision guidelines

None specified.
GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ, R1Z, R2Z or R3Z with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage development that respects the neighbourhood character of the area.
To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
</tbody>
</table>
## Condition

- 3000 square metres.
- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.

### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Store</strong></td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td><strong>Take away food premises</strong></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>

### Utility installation (other than Minor utility installation and Telecommunications facility)

### Any other use not in Section 1 or 3

## Section 3 – Prohibited

### Use

- Amusement parlour
- Animal production (other than Grazing animal production)
- Animal training
- Brothel
- Cinema based entertainment facility
- Domestic animal boarding
- Horse husbandry
- Industry (other than Car wash)
- Motor racing track
- Nightclub
- Office (other than Medical centre)
- Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
- Saleyard
- Stone extraction
- Transport terminal
- Warehouse (other than Store)

## Subdivision

### Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
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<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>
Construction or extension of a dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>• Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>• Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
<tr>
<td>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</td>
<td></td>
</tr>
<tr>
<td>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</td>
<td></td>
</tr>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

32.08-6
31/07/2018
VC148

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

• Construct a dwelling if there is at least one dwelling existing on the lot.
• Construct two or more dwellings on a lot.
• Extend a dwelling if there are two or more dwellings on the lot.
• Construct or extend a dwelling if it is on common property.
• Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

• The fence is associated with 2 or more dwellings on a lot or a residential building, and
• The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is</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>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that:
- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:
- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:
- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
Transitional provisions

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.

- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ1.

WYNDHAM RESIDENTIAL AREAS

1.0

01/08/2013
C189

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0

01/08/2013
C189

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>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

01/08/2013
C189

Maximum building height requirement for a dwelling or residential building

None specified.

4.0

01/08/2013
C189

Application requirements

None specified.

5.0

01/08/2013
C189

Decision guidelines

None specified.
INDUSTRIAL 1 ZONE

Shown on the planning scheme map as IN1Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>- Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Shipping container storage</strong></td>
<td>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>1. The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>2. 100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>1. Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>2. Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>3. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><strong>Take away food premises</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Warehouse (other than Mail centre and Shipping container storage)</strong></td>
<td>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>1. The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>2. 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>1. Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>2. Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>3. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use of land

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td></td>
</tr>
<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 2 ZONE
Shown on the planning scheme map as IN2Z.

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 facilities in a manner which does not affect the safety and amenity of local communities.
To promote manufacturing industries and storage facilities that require a substantial threshold distance within the core of the zone.
To keep the core of the zone free of uses which are suitable for location elsewhere so as to be available for manufacturing industries and storage facilities that require a substantial threshold distance as the need for these arises.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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>Railway</td>
<td></td>
</tr>
<tr>
<td>Service station</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>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>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td></td>
</tr>
</tbody>
</table>
### Use and Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Party supplies</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
</tr>
<tr>
<td>Display home centre</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Pig farm</td>
</tr>
<tr>
<td>Place of assembly</td>
</tr>
<tr>
<td>Poultry farm</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Equestrian supplies, and Party supplies)</td>
</tr>
<tr>
<td>Veterinary centre</td>
</tr>
</tbody>
</table>

### Use of land

#### Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The suitability of the industry or warehouse being located in the core of the zone, where the land is more than 1500 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 and the industry or warehouse is a purpose which is listed in the Table to Clause 53.10 as requiring a threshold distance of less than 1500 metres, or is not listed in the Table.
- 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 dispatch.
  - Light spill or glare.

**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, 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.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The suitability of the industry or warehouse being located in the core of the zone, where the land is more than 1500 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 and the industry or warehouse is a purpose which is listed in the Table to Clause 53.10 as requiring a threshold distance of less than 1500 metres, or is not listed in the Table.
- 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.
### Class of application

| 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 59.01

### 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

**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.
- The suitability of the proposed lots for the types of industries and warehouses shown in the table to Clause 53.10.

### Buildings and works

**Permit requirement**

A permit is required to construct a building or construct or carry out works.

This does not apply to:
A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.

A building or works which are used for crop raising or informal outdoor recreation.

A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
- The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
- A waterway, wetland or designated flood plain.
- A dwelling not in the same ownership.
- A residential or urban growth zone.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>$1,000,000 where the land is not:</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements
An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.

- 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:

- The suitability of the proposed buildings or works for the types of industries and warehouses shown in the table to Clause 53.10.
- 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 33.02 INDUSTRIAL 2 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>The site must adjoin, or be within 30 metres of, a road in a Road Zone. Must be on land within an urban growth boundary and in metropolitan Melbourne.</td>
<td></td>
</tr>
<tr>
<td><strong>Take away food premises</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
</tbody>
</table>
| **Warehouse (other than Fuel depot, Mail centre or Shipping container storage)** | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.  
The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10.  
Must not adversely affect the amenity of the neighbourhood, including through the:  
  - Transport of materials, goods or commodities to or from the land.  
  - Appearance of any stored goods or materials.  
  - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil  |
<p>| <strong>Any use listed in Clause 62.01</strong>                                  | Must meet the requirements of Clause 62.01.                                                                                               |
| <strong>Section 2 - Permit required</strong>                                     |                                                                                                                                              |
| <strong>Use</strong>                                                              | <strong>Condition</strong>                                                                                                                             |
| Adult sex product shop                                               | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. |
| Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) |                                                                                                                                              |
| Caretaker’s house                                                    |                                                                                                                                              |
| Education centre                                                     | Must not be a primary or secondary school.                                                                                                |
| Industry (other than Service industry)                               |                                                                                                                                              |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track) |                                                                                                                                              |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td><strong>Section 3 - Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td></td>
</tr>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met</td>
<td></td>
</tr>
<tr>
<td>Supermarket – if the section 1 conditions are not met</td>
<td></td>
</tr>
</tbody>
</table>

### Use of land

#### Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

- The effect that nearby industries may have on the proposed use.

- The drainage of the land.

- The availability of and connection to services.

- The effect of traffic to be generated on roads.

- The interim use of those parts of the land not required for the proposed use.

- The effect on nearby industries.

**33.03-3**

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td></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 buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into 2 lots if:  

Clause 59.02  

- The construction of a building or the construction or carrying out of works on the land:  
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.  
  - Has started lawfully.  
- The subdivision does not create a vacant lot.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works. This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance
All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.03-5  
31/07/2018  
VC148  

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 (other than Child care centre)</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Retail premises (other than Shop)</td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</td>
<td>The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<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>
</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>
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</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into 2 lots if:
- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Buildings and works
A permit is required to construct a building or construct or carry out works.
This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Neighbourhood and site description and design response**

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.
Satisfactory neighbourhood and site description before notice and decision

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

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, continue to apply to:

- An application for a planning permit lodged before that date.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.
## SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
<th>Maximum leasable floor area (m²) for shop (other than restricted retail premises)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
COMMERCIAL 2 ZONE

Shown on the planning scheme map as B3Z, B4Z or C2Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, 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>Industry (other than Materials recycling and Transfer station)</td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>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>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Supermarket                            | The leasable floor area must not exceed 1800 square metres.  
                                          | The site must adjoin, or have access to, a road in a Road Zone.  
                                          | Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne. |
| Trade supplies                         |                                                                                                                                         |
| Tramway                                |                                                                                                                                         |
| Warehouse (other than Mail centre)     | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.  
                                          | The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
                                          |   • The threshold distance, for a purpose listed in the table to Clause 53.10.  
                                          |   • 30 metres, for a purpose not listed in the table to Clause 53.10. |
| Any use listed in Clause 62.01         | Must meet the requirements of Clause 62.01.                                                                                           |

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Supermarket – if the Section 1 conditions are not met | The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.  
The site must adjoin, or have access to, a road in a Road Zone. |
| Transfer station                          | 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. |
| Utility installation (other than Minor utility installation and Telecommunications facility) |                                                                                                                                                                                                        |
| Any other use not in Section 1 or 3      |                                                                                                                                                                                                        |

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house and Residential hotel)</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
</tbody>
</table>

**Use of land**

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

**Subdivision**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
</tbody>
</table>
### Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</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.

### 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

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
</tr>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
</tr>
<tr>
<td>• Used for a purpose listed in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

---

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Class of application

- Used for a Brothel or Adult sex product shop.

Information requirements and decision guidelines

Maintenance
All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.02-5
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VC148

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.

34.02-6
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.

34.02-7
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 near the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.
RURAL LIVING ZONE

Shown on the planning scheme map as RLZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential use in a rural environment.
To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Bar</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Dependent person's unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Hotel</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>The site must either:</td>
</tr>
<tr>
<td>Service station</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>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 Bar, Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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>

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

**Agricultural issues**
- The capacity of the site to sustain the agricultural use.
- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

**Environmental issues**
- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
**SCHEDULE TO THE RURAL LIVING ZONE**

Shown on the planning scheme map as **RLZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land zoned Rural Living on Lot 2, Plan of Subdivision 325664 (Deutgam), No. 360-438 Point Cook Road, Point Cook.</td>
</tr>
<tr>
<td></td>
<td>All other land.</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land zoned Rural Living on Lot 2, Plan of Subdivision 325664 (Deutgam), No. 360-438 Point Cook Road, Point Cook.</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 an existing dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

- Earthworks which change the rate of flow or the discharge point of water across a property boundary. All land
- Earthworks which increase the discharge of saline groundwater. None specified
GREEN WEDGE ZONE

Shown on the planning scheme map as GWZ with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for the use of land for agriculture.
To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
To encourage use and development that is consistent with sustainable land management practices.
To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.
To protect and enhance the biodiversity of the area.

35.04-1
Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.&lt;br&gt;At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Home based business</td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.04-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.04-2.</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td></td>
<td>Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub and Place of worship)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Research centre</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential building (other than</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor</td>
</tr>
<tr>
<td>Residential hotel)</td>
<td>recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>Must be used to provide accommodation for persons away from their normal</td>
</tr>
<tr>
<td></td>
<td>place of residence.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum</td>
</tr>
<tr>
<td></td>
<td>subdivision area specified in a schedule to this zone. If no area is</td>
</tr>
<tr>
<td></td>
<td>specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems,</td>
</tr>
<tr>
<td></td>
<td>Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of bedrooms must not exceed the number specified in a schedule</td>
</tr>
<tr>
<td></td>
<td>to the zone or 80 bedrooms, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum</td>
</tr>
<tr>
<td></td>
<td>subdivision area specified in a schedule to this zone. If no area is</td>
</tr>
<tr>
<td></td>
<td>specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems,</td>
</tr>
<tr>
<td></td>
<td>Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present must not exceed the number specified in a</td>
</tr>
<tr>
<td></td>
<td>schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If used in conjunction with Function centre, the total number of patrons</td>
</tr>
<tr>
<td></td>
<td>present at any time must not exceed the number specified in a schedule</td>
</tr>
<tr>
<td></td>
<td>to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum</td>
</tr>
<tr>
<td></td>
<td>subdivision area specified in a schedule to this zone. If no area is</td>
</tr>
<tr>
<td></td>
<td>specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must not include the collecting, storing or processing of used or</td>
</tr>
<tr>
<td></td>
<td>scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Utility installation (other than Minor</td>
<td></td>
</tr>
<tr>
<td>utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

**Use**

- **Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)**
- **Brothel**
- **Cinema based entertainment facility**
- **Display home centre**
- **Education centre (other than Primary school and Secondary school)**
- **Freeway service centre**
- **Funeral parlour**
- **Hospital**
- **Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)**
- **Motor racing track**
- **Office**
- **Nightclub**
- **Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)**
- **Service station**
- **Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)**

---

**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

---

**Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
• The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone. Clause 59.12

**Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

**Buildings and works**

A permit is required to construct or carry out any of the following:

• A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:

  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.

• Earthworks specified in a schedule to this zone, if on land specified in a schedule.

• A building which is within any of the following setbacks:

  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
- 100 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.

• Permanent or fixed feeding infrastructure for season or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated floor plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
</tbody>
</table>
  • Used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. |
  • Within 30 metres of land (not a road) which is in a residential zone. |

Any works must not be earthworks specified in the schedule to the zone.

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

• The Municipal Planning Strategy and the Planning Policy Framework.
• Any Regional Catchment Strategy and associated plan applying to the land.
• The capability of the land to accommodate the proposed use or development.
• How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
• Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
• Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
• The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.
Rural issues
- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental issues
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues
- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

Primary school or secondary school issues
- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

Signs
Sign requirements are at Clause 52.05. This zone is in Category 3.
## SCHEDULE TO THE GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Werribee South Intensive Agriculture Precinct defined on map number 1 forming part of this schedule.</td>
</tr>
<tr>
<td></td>
<td>15 hectares except where two or more dwellings currently exist upon a lot. Where two or more dwellings lawfully exist on a lot, one lot of a minimum of 4000m² and a maximum of 5000m² containing each additional existing dwelling may be excised, provided that one dwelling remains part of the parent lot. This provision applies to permit applications received after 1 May 2008.</td>
</tr>
<tr>
<td>Land between Point Cook residential areas and Werribee South Intensive Agriculture Precinct defined on map number 2 forming part of this schedule.</td>
<td>40 hectares</td>
</tr>
<tr>
<td>All land other than the areas defined on map number 1 and map number 2 forming part of this schedule.</td>
<td>80 hectares</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land.</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>None specified.</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
Schedule to the Green Wedge Zone

Map Number 1.

Werribee South Intensive Agriculture Precinct
Schedule to the Green Wedge Zone

Map Number 2.

Land Between Point Cook Residential Areas and Werribee South Intensive Agriculture Precinct
GREEN WEDGE A ZONE

Shown on the planning scheme map as GWAZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.

To ensure that use and development promotes sustainable land management practices and infrastructure provision.

To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.

To recognise and protect the amenity of existing rural living areas.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production) | No more than 10 persons may be accommodated away from their normal place of residence.
At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence. |
<p>| Bed and breakfast                                                   | Must be no more than 2 animals.                                                                                                                                                                   |
| Domestic animal husbandry (other than Domestic animal boarding)     | Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.                         |
| Home based business                                                | Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.                         |
| Informal outdoor recreation                                        | Must be no more than 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres. |
| Poultry farm                                                       | Must be no more than 2 animals.                                                                                                                                                                   |
| Primary produce sales                                              | Must be used in conjunction with Agriculture.                                                                                                                                                     |
| Railway                                                            | Must be used in conjunction with Agriculture.                                                                                                                                                     |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ConditionUse</td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Any use listed in Clause 62.01</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Animal production (other than Broiler farm and Intensive animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.05-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.05-2.</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td></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>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
</tbody>
</table>
### Use and Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number of dwellings must not exceed the number specified in a</td>
<td>The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.</td>
</tr>
<tr>
<td>schedule to the zone or 40 dwellings, whichever is the lesser.</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>The lot on which the use is conducted must be at least the minimum</td>
<td></td>
</tr>
<tr>
<td>subdivision area specified in a schedule to this zone. If no area is</td>
<td></td>
</tr>
<tr>
<td>specified, the lot must be at least 8 hectares.</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Must be used in conjunction with Agriculture, Natural systems,</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Outdoor recreation facility, Rural industry or Winery.</td>
<td></td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Must be used to provide accommodation for persons away from their</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>normal place of residence.</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Must be used in conjunction with Function centre, the total number</td>
<td>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td>of patrons present at any time must not exceed the number specified</td>
<td>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td>in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural store – if the Section 1 condition is not met</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Must be in a building not a dwelling and used to store motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Display home centre</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Freeway service centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship and Restricted place of assembly)</td>
</tr>
<tr>
<td>Retail premises (other than Market, Plant nursery, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
</tbody>
</table>
Use

Sawmill
Service station
Transport terminal
Warehouse (other than Freezing and cool storage, Rural store and Vehicle store )

35.05-2

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

35.05-3

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

### Clause 59.12

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.

---

### 35.05-4

**Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

---

### 35.05-5

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.05-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 30 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 20 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 10 metres from any other road.
  - 5 metres from any other boundary.
  - 30 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

---

### Class of application

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

### Class of application
- Within 30 metres of land (not a road) which is in a residential zone.

Any works must not be earthworks specified in the schedule to the zone.

### Decision guidelines

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### General issues
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns.
- How the use or development relates to agricultural land use, rural diversification and natural resource management.
- Whether the site is suitable for the use or development and whether the proposal will have an adverse impact on surrounding land uses.
- The need to protect the amenity of existing residents.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty or importance.

#### Rural issues
- The maintenance of agricultural production and the impact on the local rural economy.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.
- Protection and retention of land for future sustainable agricultural activities.

#### Environmental issues
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and fauna habitat and the revegetation of land including riparian buffers along waterways, gullies, ridge lines, property boundaries and saline recharge and discharge areas.
- How the use or development relates to sustainable land management and the need to prepare a sustainable land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**
- The need to minimise adverse impacts of the siting, design, height, bulk, colours and materials to be used on major roads, landscape features and vistas.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will require traffic management programs.

**Primary school or secondary school issues**
- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

**Signs**
Sign requirements are at Clause 52.05. This zone is in Category 3.
**SCHEDULE TO CLAUSE 35.05 GREEN WEDGE A ZONE**

Shown on the planning scheme map as **GWAZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All other land. 8 hectares</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential building (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit requirement for earthworks</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>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>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry, Rice growing and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Bed and breakfast, Dependent person’s unit,</td>
</tr>
<tr>
<td>Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival and Circus)</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies, Market,</td>
</tr>
<tr>
<td>Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Rice growing</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage and Rural store)</td>
</tr>
</tbody>
</table>

### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.
Subdivision

A permit is required to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares. A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Long term lease or licence for accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation. Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the area specified as the minimum subdivision area for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares. This provision only applies to land in Metropolitan Melbourne.

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
</tbody>
</table>

Any works must not be earthworks specified in the schedule to the zone.

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**


- Any Regional Catchment Strategy and associated plan applying to the land.

- The capability of the land to accommodate the proposed use or development.

- How the use or development conserves the values identified for the land in a schedule.
Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.

Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

**Rural issues**

- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

**Environmental issues**

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Dwelling issues**

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

**Design and siting issues**

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

### Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE TO THE RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ**.

**CONSERVATION VALUES**

None specified.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</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>
FARMING ZONE

Shown on the planning scheme map as FZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for the use of land for agriculture.
To encourage the retention of productive agricultural land.
To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
To encourage the retention of employment and population to support rural communities.
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Must be the only dependent person’s unit on the lot. Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11. The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area. The plantation must not be within 100 metres of: Any dwelling in separate ownership. Any land zoned for residential, commercial or industrial use. Any site specified on a permit which is in force which permits a dwelling to be constructed. The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td><strong>Any use listed in Clause 62.01</strong>  Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td><strong>Section 2 – Permit required</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<tr>
<td>Abattoir</td>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cattle feedlot – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
</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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.</td>
<td>Clause 59.13</td>
</tr>
<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 Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></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 1 TO THE FARMING ZONE**

Shown on the planning scheme map as **FZ1**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land 80 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 100 metres</td>
</tr>
<tr>
<td></td>
<td>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2 40 metres</td>
</tr>
<tr>
<td></td>
<td>Any other road 20 metres</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>Any other boundary 5 metres</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>Any dwelling not in the same ownership 100 metres</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>None specified</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
**SCHEDULE 2 TO THE FARMING ZONE**

Shown on the planning scheme map as **FZ2**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1</td>
</tr>
<tr>
<td></td>
<td>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2</td>
</tr>
<tr>
<td></td>
<td>Any other road</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>Any other boundary</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>Any dwelling not in the same ownership</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
# SCHEDULE 3 TO THE FARMING ZONE

Shown on the planning scheme map as **FZ3**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land.</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>None specified.</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares).</td>
<td>None specified.</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified.</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</td>
<td>None specified.</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified.</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified.</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified.</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified.</td>
</tr>
</tbody>
</table>

## Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified.</td>
</tr>
</tbody>
</table>
PUBLIC USE ZONE

Shown on the planning scheme map as **PUZ** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

### Table of uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other</td>
</tr>
<tr>
<td></td>
<td>convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 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>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</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>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as PPRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas for public recreation and open space.
To protect and conserve areas of significance where appropriate.
To provide for commercial uses where appropriate.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must be conducted by or on behalf of the public land manager.</td>
</tr>
<tr>
<td></td>
<td>Must not be on coastal Crown land under the Coastal Management Act 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeaning or bulk sampling.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Contractor's depot</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Heliport</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td>A use specified in an incorporated plan in a schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

Brothel
Cinema based entertainment facility
Corrective institution
Display home centre
Funeral parlour
Industry
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
### SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crown Foreshore Reserve abutting Lots 1 and 2 LP 222211P, Duncans Road Werribee South</td>
<td>Use or development in accordance with the Development Plan approved under the Development Plan Overlay - Wyndham Harbour.</td>
<td>Any conditions specified in the planning approval which relate to the Crown Foreshore Reserve covered by the approved Development Plan must be satisfied.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Page 389 of 1196
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>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></td>
</tr>
<tr>
<td></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><strong>Emergency services facility</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Renewable energy facility (other than Wind energy facility)</strong></td>
<td>Must not be located on land reserved under the <em>National Parks Act 1975</em>. Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td><strong>Wind energy facility</strong></td>
<td>Must not be located on land described in a schedule to the <em>National Parks Act 1975</em>. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met</td>
<td></td>
</tr>
</tbody>
</table>

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958* or the *Crown Land (Reserves) Act 1978*.

- Subdivide land.

**Application requirements**

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

### Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Referral of applications

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

### Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

<table>
<thead>
<tr>
<th>Public Land</th>
<th>Use Or Development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
ROAD ZONE

Shown on the planning scheme map as RDZ1 for a Category 1 road and RDZ2 for a Category 2 road.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify significant existing roads.
To identify land which has been acquired for a significant proposed road.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
SPECIAL USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>• Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.
WYNDHAM PLANNING SCHEME

SCHEDULE 1 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ1.

WYNDHAM HARBOUR

Purpose
To provide a safe, functional and visually attractive harbour as part of an integrated marina and residential development.
To ensure the use and development are compatible with existing uses in the vicinity.
To provide for boating and boating-related activities on Port Phillip Bay.
To ensure the use and development complement existing tourist and recreational facilities within the western region of metropolitan Melbourne.
To provide for and enrich the physical, social and economic environments of the residents of the City of Wyndham and the western region of metropolitan Melbourne.
To provide for a mix of retail, residential, tourism and other complementary uses which will make the development economically feasible, and meet anticipated demand for the marina and its related facilities.
To ensure that the land within the zone is developed in an orderly and proper manner.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquaculture</td>
<td></td>
</tr>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>Not more than 240 dwellings</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Must be directly related to a Pleasure boat facility or marine based activity.</td>
</tr>
<tr>
<td>Industry</td>
<td>Must be a Rural Industry or in conjunction with a Pleasure boat facility</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td></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>
</tbody>
</table>
### Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Appearance of any stored goods or materials.</td>
<td></td>
</tr>
<tr>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
<td></td>
</tr>
</tbody>
</table>

**Informal Outdoor Recreation**

Manufacturing sales  Must be directly related to a Pleasure boat facility or marine based activity.

**Minor sports and recreation Facility**

**Mineral exploration**

Mining  Must meet the requirements of Clause 52.08-2.

**Minor utility installation**

Minor Sports and Recreation Facility

**Natural systems**

**Office (other than Bank)**

Place of assembly

**Pleasure boat facility**  Not more than 1000 wet berths

**Primary produce sales**  Produce must be derived from the sea.

**Residential building**

Retail premises (other than Adult sex bookshop, Food and drink premises, Manufacturing sales and Primary produce sales)

**Road**

Search for stone  Must not be costeanning or bulk sampling.

**Telecommunications facility**

Buildings and works must meet the requirements of Clause 52.19.

**Trade supplies**

Must be directly related to a Pleasure boat facility or marine based activity

**Transport terminal (other than Airport and Road Freight Terminal)**

**Utility Installation**

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>Agriculture</td>
<td></td>
</tr>
<tr>
<td>Bank</td>
<td></td>
</tr>
</tbody>
</table>
Use | Condition
---|---
Camping and caravan park | 
Education centre | 
Mail centre | 
Major sports and recreation facility | 
Mineral, stone or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone) | 
Service station | 
Any other use not in Section 1 or 3, or any Section 1 use if the condition is not met. | 

Section 3 - Prohibited

| Use |
---|
Abattoir |
Adult sex bookshop |
Brothel |
Cemetery |
Crematorium |
Extractive industry |
Motor racing track |
Saleyard |

### Buildings and works

A permit is required to construct a building and construct or carry out works.

**Application Requirements**

An application to construct a building, or to construct or carry out works must be accompanied by the following information, as appropriate:

- Finished and natural ground levels, floor levels, and overall building heights relative to the Australian Height Datum (AHD);
- A schedule of materials, colours and finishes;
- The intended use of the building.

### Subdivision

A permit is required to subdivide land.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- The location, provision and maintenance of public and private open space areas and other public facilities.
- The location, provision and maintenance of landscaping associated with the development of the land.
- The stages, if any, by which the development is proposed to proceed.
- The Environment Effects Statement Wyndham Cove Marina Development Main Report dated June 2005 and the Supplementary Reports Volumes 1, 2 and 3 to that document and the Minister's Assessment which provide a more detailed assessment of the environmental values and features of the site.
- The Wyndham Harbour Land Use Framework Plan (as amended to the satisfaction of the Responsible Authority from time to time).
- The Wyndham Harbour Design Guidelines (as amended to the satisfaction of the Responsible Authority from time to time).

5.0
19/10/2006
C71

**Exemption from Notice and Appeal**

An application to use land, construct a building or construct or carry out works, or 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.

6.0
22/12/2009
C126

**Advertising Signage**

Advertising sign controls are at Clause 52.05.

The zone is in Category 1 or Category 3 as designated on the Wyndham Harbour Land Use Framework Plan.

7.0
22/12/2009
C126

**Reference Documents**

Wyndham Harbour Design Guidelines (as amended to the satisfaction of the Responsible Authority from time to time).

Wyndham Harbour Land Use Framework Plan (as amended to the satisfaction of the Responsible Authority from time to time).
SCHEDULE 2 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2.

WERRIBEE RACECOURSE

Purpose
To provide for land to be used as a racecourse and associated activities.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Greyhound keeping</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Horse stables</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</td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Racecourse</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Greyhound keeping, Intensive animal husbandry and Horse stables)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Racecourse, Informal outdoor recreation and Open sports ground)</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly</td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use not in Sections 1 or 3</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>Adult sex bookshop</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Manufacturing sales</td>
</tr>
<tr>
<td>Shop (other than Equestrian supplies)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Timber yard</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
</tr>
<tr>
<td>Warehouse</td>
</tr>
</tbody>
</table>

### Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.
SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ3.

PRISON

Purpose
To encourage the development of a prison to an international best practice standard.
To ensure that development and 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.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Corrective Institution</td>
<td></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 costeanning or bulk sampling.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works

Permit requirement
No permit is required to develop the land for a prison and associated facilities.

Prison Development Plan
Before any development or use commences (excluding internal works), a Prison Development Plan must be prepared in accordance with the purpose of the zone to the satisfaction of the Minister for Planning after consultation with the responsible authority. The Prison Development Plan must be advertised and publicly displayed at the municipal office for at least two weeks before it is considered by the responsible authority.
When considering the Prison Development Plan, the Minister for Planning and the responsible authority should have regard to potential office effects, including those associated with:

- lighting;
- noise; and
- visual impact

and the effect of existing land uses on the prison.

The Prison Development Plan should also provide for:

- Prompt establishment of appropriate screening vegetation; and
- Accessibility of the site.

The Prison Development Plan must include:

- Site plans at a scale of no less that 1:2000 showing the proposed location (excluding internal layout), type, design and where appropriate, the height and colour of all buildings and works, including:
  - all fencing;
  - all security lighting, including a statement of lighting intensity and indicative hours of operation;
  - the proposed location and extent of vehicle parking areas and road within the site;
  - the number, location, size and form of all signs proposed to be erected.

- An assessment of the principal view corridors into the site, particularly from residential areas and transport corridors.

- A detailed description, including appropriate plans, of the proposed landscape treatment of the site, including:
  - the design approach upon which the landscaping plan is based;
  - location and type of existing vegetation to be retained;
  - location and type of proposed additional plantings;
  - the proposed sequencing of additional plantings to achieve maximum effect as quickly as possible.

- An assessment of traffic generated by employees, visitors and service providers together with appropriate plans showing entrances to and exits from the site.

- Details of any public address, alarm, amplified music or other such system that may be audible beyond the boundary of the site, including indicative locations, hours of operation and volume.

- Details of the waste disposal system that is proposed, and if not disposing to a Melbourne Water sewer, the Prison development Plan must indicate appropriate details to the satisfaction of Environment Protection Authority for obtaining a Works Approval for installation of a packaged sewerage treatment plant.

All buildings and works must comply with the approved Prison Development Plan.

Erosion and sediment control during site works should conform with Environment Protection Authority publication 275 ‘Construction Techniques for Sediment Pollution Control’.

The Prison Development Plan may be amended to the satisfaction of the Minister for Planning after consultation with the responsible authority. If, in the opinion of the Minister for Planning, the proposed amendment is significant in nature, then the amendment is subject to the advertisement and public display requirements included in this schedule.
SCHEDULE 4 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

K ROAD TOURISM AND RECREATION PRECINCT

Purpose
To promote tourism and provide for complimentary tourist and recreational activities which build on the natural and cultural assets of the area.

Table of uses

<table>
<thead>
<tr>
<th>Section 1 - Permit not required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Use</strong></td>
</tr>
<tr>
<td>Apiculture</td>
</tr>
<tr>
<td>Caretaker’s house</td>
</tr>
<tr>
<td>Crop raising (other than Timber production)</td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
</tr>
<tr>
<td>Horse stables</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
</tr>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Mining</td>
</tr>
<tr>
<td>Minor utility installation</td>
</tr>
<tr>
<td>Open sports ground</td>
</tr>
<tr>
<td>Road</td>
</tr>
<tr>
<td>Search for stone</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 2 - Permit required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Use</strong></td>
</tr>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
</tr>
<tr>
<td>Agriculture (other than Crop raising, Extensive animal husbandry and Horse stables)</td>
</tr>
<tr>
<td>Art and craft centre</td>
</tr>
<tr>
<td>Car park</td>
</tr>
<tr>
<td>Convenience shop</td>
</tr>
<tr>
<td>Education centre</td>
</tr>
<tr>
<td>Equestrian supplies</td>
</tr>
<tr>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Open sports ground and Motor racing track)</td>
</tr>
<tr>
<td>Market</td>
</tr>
</tbody>
</table>
## Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than an Amusement parlour and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Retail premises (other than Market, Convenience shop, Equestrian supplies, Food and drink premises, Plant nursery and Primary produce sales)</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>

### Exemption

#### Public land

A permit is not required for the use or development of public land by the relevant public land manager provided the use or development is related to tourism or recreational activities.

### Use of land

#### Decision guidelines

Before deciding on an application to use land, the responsible authority must consider:

- The impact of the proposed use on the tourism precinct.
- The impact of the proposed use on the agricultural use of nearby land.
4.0 Buildings and works

Decision guidelines

Before deciding on an application to construct a building or carry out works, the responsible authority must consider:

- The impact of the buildings and works on the tourism precinct
- The impact of the buildings and works on the nearby agricultural land.
- The impact of the buildings and works 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 of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
SCHEDULE 6 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6.

EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To recognise or provide for the use and development of land for earth and energy resources industry.
To encourage interim use of the land compatible with the use and development of nearby land.
To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Animal training, Apiculture, Extensive animal husbandry, Horse stables, and Intensive animal husbandry)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Transfer station</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house and Dependent person's unit)</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies and Manufacturing sales)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
</tbody>
</table>

### Buildings and works

**Permit requirement**

The requirement for a permit does not apply to the construction of a building or the construction or carrying out of works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
SCHEDULE 7 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ7.

TRUGANINA PRECINCT STRUCTURE PLAN - ELECTRICITY EASEMENT

Purpose
To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

Precinct structure plan provisions
A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

Table of uses
Any requirement in the Table of uses and any requirement specified in this schedule or the precinct structure plan applying to the land must be met.
A permit granted must be generally in accordance with the precinct structure plan applying to the land.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres. The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Supermarket                                 | The leasable floor area must not exceed 1800 square metres.  
The site must adjoin, or be within 30 metres of, a road in a Road Zone.  
Must be on land within an urban growth boundary and in metropolitan Melbourne. |

Tramway  
Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex bookshop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Extensive animal husbandry and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly (other than Carnival and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Mail centre)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
</tbody>
</table>
Use

Hospital
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Shop (other than Adult sex bookshop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met
Supermarket – if the Section 1 conditions are not met

2.0
13/11/2014
C188

Subdivision
A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the precinct structure plan.

3.0
13/11/2014
C188

Buildings and works
A permit is not required to construct a building or construct or carry out works for:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4500 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the the precinct structure plan.

4.0
13/11/2014
C188

Exemption from notice and review
An application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

5.0
13/11/2014
C188

Advertising signs
Advertising sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 8 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ8.

TARNEIT ELECTRICITY TRANSMISSION EASEMENT - RESIDENTIAL AREAS TARNEIT NORTH PRECINCT STRUCTURE PLAN

Purpose
To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

Precinct structure plan provisions
A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

1.0 Table of uses
Any requirement in the Table of uses and any requirement specified in this schedule or the precinct structure plan applying to the land must be met.
A permit granted must be generally in accordance with the precinct structure plan applying to the land.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>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>The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road Zone. The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone. The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant, Hotel and Tavern)</td>
<td></td>
</tr>
<tr>
<td>Home occupation</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>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</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>Shop (other than Adult sex bookshop and Bottle shop)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road 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></td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Accommodation (other than Dependent person’s unit, Dwelling and Residential aged care facility)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)</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>Community market</td>
<td></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 – if the Section 1 conditions to Shop are not met.</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></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>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub and Place of worship)</td>
<td>The land must have the same street frontage as the land in the commercial zone. The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Plant nursery</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>Service station</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone. The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Bottle shop and Convenience shop) – if the Section 1 conditions are not met</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>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></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td>Section 3 - Prohibited</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td></td>
</tr>
<tr>
<td>Adult sex bookshop</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
<td></td>
</tr>
</tbody>
</table>
Use
----------
Intensive animal husbandry
Motor racing track
Nightclub
Retail premises (other than Community market, Food and drink premises, Plant nursery and Shop)
Saleyard
Use
Stone extraction
Transport terminal
Warehouse (other than Store)

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>

Buildings and works
----------

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.
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.

A permit is not required to construct one dependent person’s unit on a lot.

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.

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 32.07-1.

Maximum building height requirement for a dwelling or residential building
The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone.

This does not apply to:

- An extension of an existing building that exceeds the specified building height provided that the extension does not exceed the existing building height.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

If no building height is specified in a schedule to this zone, the maximum building height should not exceed 13.5 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 height of the building should not exceed 14.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.
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 55.04-1, 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 residential development of five or more storeys, an urban context report and design response as required in Clause 52.35.
- 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

An application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.
**SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ9**.

**CHERRY CREEK YOUTH JUSTICE REDEVELOPMENT PROJECT**

**Purpose**

To provide for the use and development of the land for a corrective institution (youth justice centre).

To provide for associated education, recreation, visitor and health service facilities and any other facility necessary to support the operation of a corrective institution (youth justice centre).

To ensure that the use and development of the land for a corrective institution (youth justice centre) occurs with minimum negative impact on surrounding land uses.

To ensure that the use and development of land for a corrective institution (youth justice centre) employs best-practice design and landscaping to mitigate visual impacts on and responds to the inter-urban break between Melbourne and Geelong, views towards the You Yangs, and views from key transport corridors such as the Princes Highway and proposed Outer Metropolitan Ring Road/E6 Transport Corridor.

**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>The use must be in relation to the Cherry Creek Youth Justice Redevelopment Project as generally described in the Cherry Creek Youth Justice Redevelopment Project Incorporated Document August 2018.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

**2.0**

**Use of land**

None specified.

**Application requirements**

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- 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.
Exemption from notice and review

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme, which must be considered, as appropriate, by the responsible authority:

- The purpose of this schedule.
- The effect that existing uses may have on the proposed use.
- The effect of traffic to be generated by the proposed use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the proposed use is compatible with adjoining and nearby uses.
- The proposed hours of operation, noise and other likely off-site amenity impacts.

Subdivision

None specified.

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- An alteration or extension to an existing building used for a corrective institution provided the floor area of the alteration or extension is not more than 100 square metres and not result in a building of more than two storeys.
- An outbuilding associated with a corrective institution provided the floor area of the outbuilding is not more than 50 square metres and not more than two storeys.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site plan which shows:
  - The boundaries and dimensions of the site.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Buffer distances from surrounding land uses and the gas pipeline.
  - The siting and layout of vehicle access roads, parking areas and pathways.
  - The location and details of lighting and fencing.
  - Any other notable features, constraints or other characteristics of the site.
- Elevation plans.
- Details of the approach to landscape design, consistent with the purpose of this schedule, and a landscape plan including schedule which shows:
  - The location and type of vegetation to be retained and removed.
  - The location and type of proposed vegetation.
  - The location and form of earthworks and mounding.
  - Surface finishes of vehicle access roads, parking areas and pathways.
- Details of any acoustic attenuation measures required to reduce noise levels from the proposed Outer Metropolitan Ring Road/E6 Transport Corridor.
- Details of how lighting will be designed to avoid or reduce any significant off-site impacts due to the emission of light.
- A Landscape and Visual Impact Assessment which provides an analysis of impacts of the proposed buildings and works on the inter-urban break between Melbourne and Geelong, views towards the You Yangs, and views from key transport corridors such as the Princes Highway and proposed Outer Metropolitan Ring Road/E6 Transport Corridor.
- Details of any vehicle loading areas, including the location of rubbish storage and removal facilities.
- A preliminary site assessment of the land by a suitably qualified professional providing advice and recommendations on potential contamination.
- Preliminary details of the proposed approach to environmental management during construction in order to avoid, minimise, mitigate and manage potential adverse environmental and amenity impacts during construction and operation. (Specific details may be included as a condition to any permit granted.)

**Exemption from notice and review**
An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Decision Guidelines**
The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The purpose of this schedule.
- Landscape or visual impacts on the inter-urban break between Melbourne and Geelong, views towards the You Yangs, and views from key transport corridors such as the Princes Highway and proposed Outer Metropolitan Ring Road/E6 Transport Corridor.
- Whether the acoustic attenuation measures will satisfactorily protect existing or proposed noise sensitive uses from the proposed Outer Metropolitan Ring Road/E6 Transport Corridor.
- Any natural or cultural values on or near the land.
- The size and scale of the built form.
- Provision of landscape treatment and lighting.
- Interface with adjoining land.
- Provision of parking and site access.
- Provision of loading and service areas.
- Outdoor storage.

**Advertising signs**

None specified.

*Note: Refer to the “Cherry Creek Youth Justice Redevelopment Project Incorporated Document, August 2018” which may affect the use and development of the land.*
URBAN FLOODWAY ZONE

Shown on the planning scheme map as UFZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 if any requirement is not met</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

### Subdivision

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:
- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

### Application requirements

**General**

An application must be accompanied by any information specified in the schedule to this zone.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

37.03-5
Referral of applications
An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

37.03-6
Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

37.03-7
Signs
Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.
## SCHEDULE TO THE URBAN FLOODWAY ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

---
PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as PDZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise or provide for the use and development of land for projects and areas of regional or State significance.
To provide for a range of uses and the development of land in accordance with a plan incorporated in this scheme.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</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.

Subdivision

Permit requirement

A permit is required to subdivide land.
An application to subdivide land for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
</tbody>
</table>
### Class of subdivision | Objectives and standards to be met
--- | ---
16 – 59 lots | All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots | 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.
2 lots | Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

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>

### Buildings and works

#### Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to use land, to subdivide land or to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless the schedule to this zone specifies otherwise.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58
- Any guidelines in the schedule to this zone.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.
SCHEDULE 1 TO THE PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as PDZ1.

LAVERTON MAJOR ACTIVITY CENTRE AND EMPLOYMENT NODE INCORPORATED PLAN

The Laverton Employment Node and Major Activity Centre Incorporated Plan, July 2006 (Amended Version B May 2012) (the Laverton Incorporated Plan) is the incorporated plan for the land.

Land

The land comprises approximately 275 hectares and is the site formerly known as the RAAF Williams Laverton Air Base, generally bounded by Forsyth Road, Sayers Road and the Werribee Railway Line.

The precincts referred to in this schedule are shown on Map 1 to this schedule. For the purposes of this schedule, the Residential Precinct includes the Central, Eastern, Southern and Western Neighbourhoods as shown on Map 1.

Objective

- To give effect to the vision, objectives and planning concepts of the Laverton Incorporated Plan.

- To recognise the strategic importance of the site for the establishment of a major activity centre and employment node, including a diverse range of retail, industrial, business, and commercial uses with a focus on achieving the highest practical proportion of non-retail jobs.

- To provide for an active Main Street within the activity centre which creates pedestrian activity and linkages to the passenger railway station.

- To provide for a new transit node including a bus interchange, freeway interchange, passenger railway station and commuter car parking that will form the focus for the major activity centre and employment node.

- To encourage a diverse range of residential development opportunities and densities where consistent with the creation of a major activity centre and employment node on the land.

- To recognise specific sites which contain flora and fauna of National and State significance and to provide for the effective conservation and management of these sites.

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 Camping and caravan park, Caretaker’s house and Corrective institution)</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must not be in the Residential Precinct unless used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Convenience shop</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Education centre (other than a Primary school or a Secondary school)</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre or Mixed Use Precincts.</td>
</tr>
<tr>
<td>Industry (other than Abattoir, Materials recycling, Refuse transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>Must not be for a use or activity which requires a licence under the Dangerous Goods Act 1985.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre or Mixed Use Precincts.</td>
</tr>
<tr>
<td></td>
<td>Must occupy a building where at least 12% of the floor area is constructed in the form of offices and used for administration, sales, research and development, office or related activities.</td>
</tr>
<tr>
<td></td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre or Mixed Use Precincts..</td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre or Mixed Use Precincts.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td>Service station</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre or Mixed Use Precincts.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Convenience shop and Restricted retail premises)</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre Precinct.</td>
</tr>
<tr>
<td>Trade supplies (other than Timber yard)</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre or Mixed Use Precincts.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Transport terminal</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre Precinct.</td>
</tr>
</tbody>
</table>
## Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>Must be in accordance with a development plan approved by the responsible authority under this schedule.</td>
</tr>
<tr>
<td></td>
<td>Must be in the Activity Centre or Mixed Use Precincts.</td>
</tr>
<tr>
<td></td>
<td>Must occupy a building where at least 16% of the floor area is constructed in the form of offices and used for administration, sales, research and development, office or related activities.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>Must not be for a use or activity which requires a licence under the Dangerous Goods Act 1985.</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>Industry (where any Section 1 condition is not met)</td>
<td>Must not be in the Residential Precinct (other than Car Wash).</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose listed in Clause 52.10 for which a Threshold Distance of more than 100 metres applies.</td>
</tr>
<tr>
<td>Leisure and recreation (other than informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Warehouse (where any Section 1 condition is not met)</td>
<td>Must not be in the Residential Precinct.</td>
</tr>
<tr>
<td></td>
<td>Must not be for a purpose listed in Clause 52.10 for which a Threshold Distance of more than 100 metres applies.</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>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
<tr>
<td>Extractive industry</td>
<td></td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Transport terminal (where the Section 1 condition is not met)</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 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.

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 impact, the hours of delivery and dispatch of goods and materials, hours of operation, light spill, and emissions to land or water;
• Details of the estimated employment generated by the use;
• Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority; and
• The means of maintaining land not required for immediate use.

Decision guidelines
Before deciding on an application, the responsible authority must consider, as appropriate:

• The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.
• The vision, objectives and planning concepts of the Laverton Incorporated Plan and the objectives of this schedule and how these will be given effect by the proposal.
• The mix of land uses and their capacity to optimise employment opportunities on the site especially those of a non-retail nature, having regard to the Laverton Incorporated Plan.
• The provision of buffers from land used for industrial or railway purposes.
• The provisions of any applicable development plan approved under this schedule and any relevant agreements;
• The drainage of the land;
• The availability of and connection to services;
• The effect of traffic to be generated on roads; and
• The interim use and management of those parts of the land not required for the proposed use.

Exemption from notice and review
An application for any Section 2 use under clause 37.06-1 of the scheme is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0

Decision guidelines
Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

• The objectives of this schedule and the provisions of the Laverton Incorporated Plan and any applicable development plan, approved under this schedule;
• The suitability of the proposed lots for the intended uses;
• The size of the lots and their flexibility to adapt to changes in land use and development over time, particularly in the Activity Centre and Mixed Use Precincts;
Whether there is a need to impose building envelope controls in order to achieve desirable spatial planning relationships and a suitably high standard of design for future development;

The degree to which the proposal makes provision for roads and other development and community infrastructure, in accordance with any agreements which have been entered into between the responsible authority and the landowner; and

The effect of the proposed subdivision on the conservation areas identified in the relevant native vegetation precinct plan.

Exemption from notice and review

An application for subdivision is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the Laverton Incorporated Plan and any applicable development plan approved under this schedule.

Conditions for subdivision permits that allow the creation of a lot less than 300 square metres (within the Southern Neighbourhood)

Any permit for subdivision that allows the creation of a lot less than 300 square metres within the Southern Neighbourhood must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted to the responsible authority for approval. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code (incorporated in the Wyndham Planning Scheme at Clause 81), to the satisfaction of the responsible authority; and

- The plan of subdivision submitted for certification must identify whether Type A or Type B of the Small Lot Housing Code applies to each lot, to the satisfaction of the responsible authority.

Buildings and works

An application to construct a building or construct or carry out works which causes the ‘shop’ floorspace (excluding restricted retail premises) to exceed 25,000m² should make provision for continuous ground level activation along Main Street between Old Geelong Road and the Williams Landing Station to the satisfaction of the Responsible Authority. The ground floor active uses along Main Street should be delivered prior to the development of any ‘shop’ floorspace located above ground floor level.

The requirement to activate the street frontage referred to in this clause may be deferred subject to the form and extent of the proposed development, the amount of shop floorspace by which the 25,000m² is exceeded or for other reasons to the satisfaction of the Responsible Authority.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate and/or relevant:

- A plan drawn to scale which shows, as relevant:
  - The boundaries and dimensions of the site;
  - Adjoining roads and any alterations necessary to provide for the proposed development;
  - Relevant ground levels;
  - The layout of existing and proposed buildings, and works;
  - Driveways and vehicle parking and loading areas;
- Proposed landscape areas; and
- External storage and waste treatment areas.

- Elevation drawings to scale which show the colour and materials of all buildings and works;
- Provision for the on-site management and disposal of storm water drainage;
- Provision of reticulated services (including water supply, sewerage, gas, and electricity);
- Arrangements (if relevant) for the management and use of areas set aside for future development;
- 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; and
- Any other details required to be provided as part of any applicable development plan approved under this schedule.

**Decision guidelines**

Before deciding on an application for buildings and works, the responsible authority must consider, as appropriate:

- The objectives of this schedule and the provisions of the Laverton Incorporated Plan and any applicable development plan, approved under this schedule;
- How the proposed buildings and works relate to and comply with or implement the approved development plan for the locality;
- The proper layout of the site and the suitability of the proposed buildings and works for their intended usage;
- The architectural and urban design merit of the proposed buildings and works, their contribution to the scale, form, function and safety of the space they occupy and that of the public realm;
- The provision of ground level activation along Main Street between Old Geelong Road and the railway station;
- Landscape treatment;
- The provision for pedestrian permeability, connections to the road and bicycle networks and public transport services;
- The need to provide for appropriate treatments at the interface between residential and non-residential areas;
- Any natural or cultural values on or near the land;
- Parking and site access;
- Loading and service areas;
- Outdoor storage;
- Lighting;
- Stormwater discharge and the use of water sensitive urban design treatments; and
- The effect of the buildings or works on the conservation areas identified in the relevant native vegetation precinct plan.

**Permit exemptions**

A permit is not required to construct a building or to construct or carry out works if they:
- Are to construct or extend one dwelling in the Residential Precinct (including outbuildings and other associated and incidental works) on a lot greater than 300 square metres;
- Are to demolish an existing building or works;
- Rearrange, alter or renew plant if the area or height of the plant is not increased;
- 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;
- Are used for informal outdoor recreation;
- Are used for a car park associated with public transport in the Activity Centre Precinct.

Specific provisions – Construction of one dwelling on a lot less than 300 square metres in area (within the Southern Neighbourhood)

A permit is not required to construct or extend one dwelling on a lot within an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

Exemption from notice and review

An application for buildings and works for any Section 1 use under clause 37.06-1 of the 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 if it is generally in accordance with the Laverton Incorporated Plan and any applicable development plan approved under this schedule.

An application for buildings and works for any Section 2 use under clause 37.06-1 of the scheme is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Development plan

Environmental assessment

Before a development plan can be approved for any part of the land, an environmental auditor appointed under the Environment Protection Act 1970 must make a statement that the environmental conditions of the land are suitable for the uses proposed in the development plan. There may be different statements for different areas of the land and a statement may relate only to the area subject to the development plan or a greater area.

Development plan requirements

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan, to the satisfaction of the responsible authority has been approved for the precinct, part of a precinct or neighbourhood (in the Residential Precinct), within which the land is located.

A permit may be granted for the following before a development plan has been approved:

- Minor extensions, additions or modifications to any existing use or development;
- To subdivide land to create new road reserves or to create a lot as a precinct or a neighbourhood (in the Residential Precinct); or
- For works associated with site preparation or the remediation, investigation or clearing of land.

A development plan must be generally in accordance with the Laverton Incorporated Plan, to the satisfaction of the responsible authority, and must include or be supported by, as appropriate:
- A Subdivision Masterplan that addresses the intended staging of subdivision of the precinct or the neighbourhood within which the land is located;

- An infrastructure provision report detailing development and community infrastructure that is to be provided as part of the subdivision and/or future development of the land;

- The preferred land use mix for that part of the land subject to the development plan;

- A land use and development budget detailing how the development plan compares against the land use, employment and dwelling milestones and objectives described in the Laverton Incorporated Plan;

- The functional layout necessary to achieve an orderly and integrated development of the land including, where relevant:
  - building envelopes;
  - building forms;
  - provision for open space;
  - pedestrian and bicycle pathway networks;
  - car parking areas and roadways;
  - provision for bicycle parking spaces and associated shower and change facilities; and
  - areas for external storage of goods and materials where appropriate.

- The provision of appropriate buffers from industrial land and any rail corridor;

- Where appropriate, a site analysis and design response for the development plan demonstrating a response to the site’s opportunities and constraints, with particular regard to the outcomes of any environmental assessment, archaeological survey, the physical constraints of the site, and the interface with adjoining uses and developments;

- An Environmental Management Plan indicating the measures to be adopted to protect, enhance and manage any identified environmental values;

- A Construction Management and Environmental Impact Mitigation Plan to control impacts during development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on the site;

- An Overall Drainage Management Plan for the whole of the site including any external catchments and a Stormwater Management Plan detailing how stormwater will be collected and treated, including the provision of water sensitive design and sustainable storm water practices;

- A Landscape Concept Plan for the site that has regard to identified flora and fauna/habitat, archaeological, historical and cultural values within the land and addresses how public open space is to be developed and its intended purpose;

- A Traffic Management Plan that provides for:
  - a detailed analysis of traffic improvements likely to occur (both short term and long term) on the surrounding road network and on local (internal) roads;
  - proposals for the orderly management of vehicular traffic on the land and at the entrances to it from Forsyth Road and Sayers Road;
- identification of any road and/or traffic control works that may be required on nearby local roads as a particular consequence of the staged development and use of the land. This must include a description of works that are to be undertaken by nominated parties, and the arrangements and timing for their implementation; and

- Details including the scope, staging and timing of any public transport works and facilities in consultation with the relevant public transport authorities.

A development plan may, with the agreement of the responsible authority, be prepared and implemented in stages. A development plan may be approved with or without conditions to the satisfaction of the responsible authority.

**Amendment of the development plan**

Any approved development plan may be amended to the satisfaction of the responsible authority.

**Decision guidelines**

Before approving a development plan or any amendment to a development plan the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.

- The vision, objectives and planning concepts of the Laverton Incorporated Plan and how these will be given effect by the development plan.

- The proposed mix of land uses and their capacity to optimise employment opportunities on the site especially those of a non-retail nature.

- What scope remains within the Activity Centre and Mixed Use Precincts to achieve the employment milestones in the Laverton Incorporated Plan and if necessary, how these milestones may be achieved by encouraging higher density employment generating uses in these precincts.

- The opportunities to optimise residential densities especially in areas close to public transport and the activity centre whilst recognising the need to avoid the potential to create land use conflicts between residential and non-residential employment generating uses.

- The effect that any residential development in the Activity Centre Precinct may have on the achievement of the employment milestones in the Laverton Incorporated Plan.

- The orderly and integrated development of the land including:
  - provision for linkages between areas including potential linkages with the RAAF Base and the existing Laverton community to the east,
  - provision for public open space including neighbourhood parks and sporting fields,
  - access and transport requirements,
  - proximity to public transport, shopping, employment and community activities,
  - and the intended landscape concept for the land.

- The views of Hobsons Bay City Council in relation to the opportunities to integrate the development with the community of Laverton.

- The provision of uses and urban design strategies likely to enhance public safety and activate the area in the vicinity of the railway station during the evening and at night.

- The provision made for public transport works and facilities.

- The provision of buffers from land used for industrial or railway purposes.

• Any relevant transport plan or strategy.

• Any relevant reference document.

6.0
01/03/2007
C82

Native vegetation – Conservation Management Plan


No buildings or works may be constructed on the land and the land must not be subdivided until the owner of the land enters into an agreement with the Secretary to the Department of Sustainability and Environment for the provision of a Native Vegetation Offset contribution.

A permit is required to remove, destroy or lop native vegetation in Conservation Areas A, B and C as delineated on the Laverton Incorporated Plan if the requirements the Conservation Management Plan are not met.

In considering a permit application, the responsible authority must consider the Conservation Management Plan.

7.0
01/03/2007
C82

Car parking

Car parking must be provided for the following uses, at least in accordance with the following rates:

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>3 spaces to each 100sqm of net floor area</td>
</tr>
<tr>
<td>Shop</td>
<td>5 spaces to each 100sqm of leasable floor area</td>
</tr>
<tr>
<td>Discount department store</td>
<td>3.5 spaces to each 100sqm of leasable floor area</td>
</tr>
<tr>
<td>Other</td>
<td>3.5 spaces to each 100sqm of leasable floor area</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>2 spaces to 100sqm of leasable floor area</td>
</tr>
<tr>
<td>Industry and Warehouse:</td>
<td>3 spaces to each 100sqm of net floor area for any office component, otherwise 1.5 spaces to each 100sqm of net floor area</td>
</tr>
<tr>
<td>Dwellings:</td>
<td></td>
</tr>
<tr>
<td>Multiple dwellings</td>
<td>1 space to each 1 and 2 bedroom dwelling</td>
</tr>
<tr>
<td></td>
<td>1.5 spaces to each 3+ bedroom dwelling</td>
</tr>
<tr>
<td></td>
<td>1 space to every five dwellings for visitors</td>
</tr>
<tr>
<td>Single dwellings</td>
<td>2 spaces to each dwelling</td>
</tr>
</tbody>
</table>

Lower rates can be applied to the satisfaction of the responsible authority having regard to the decision guidelines in Clause 52.06-1.

8.0
01/03/2007
C82

Legal agreement

No buildings or works may be constructed on the land and the land must not be subdivided until the owner of the land enters into an agreement with the responsible authority and the Director of Public Transport under Section 173 of the Act.

The agreement must, to the satisfaction of the responsible authority and the relevant public authority as appropriate, make provision for:

• development contributions to be made by the owners towards the provision of State and local infrastructure that provides for:

  - on-site and off-site road, traffic and public transport improvements (including the provision of land and/or payment of financial levies) and:
The agreement must be prepared at the reasonable cost of the land owner.

**Advertising signs**

All land in the Activity Centre Precinct is in Category 1. All land in the Mixed Use Precinct is in Category 2.

**Other provisions of the scheme**

**Native Vegetation**

The provisions of Clause 52.17 (native vegetation) do not apply to the land.

**Car parking**

The car parking rates set out in the table at clause 52.06-5 do not apply to the uses specified at clause 7 of this schedule.

All other provisions of clause 52.06 including those provisions of clause 52.06-5 applicable to other uses not specified at clause 7 of this schedule continue to apply.

**Reference documents**

*A Conservation Management Plan for Three Rare Species Reserves RAAF Williams Laverton (Biosis Research Pty Ltd - May 1998)*

**Map 1 to Schedule 1 to Clause 37.06**
URBAN GROWTH ZONE
Shown on the planning scheme map as UGZ with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.
To contain urban use and development to areas identified for urban development in a precinct structure plan.
To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.
To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

Application of provisions
Part A – No precinct structure plan applies
The provisions of Clauses 37.07-1 to 37.07-8 apply if no precinct structure plan applies to the land.

Part B – Precinct structure plan applies
The provisions of Clauses 37.07-9 to 37.07-16 apply if a precinct structure plan applies to the land.

Precinct structure plan provisions
A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

Part A – Provisions For Land Where No Precinct Structure Plan Applies

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must be the only Dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast)</strong></td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>The lot must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td><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>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>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>
<tr>
<td><strong>Section 2 – Permit required</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<tr>
<td><strong>Abattoir</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Animal production (other than Broiler farm, Grazing animal production and Intensive animal production)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Broiler farm - if the Section 1 condition to Poultry farm is not met</strong></td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td><strong>Camping and caravan park</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person's unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Display home centre</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 conditions are not met</td>
<td>Must be no more than 2 dwellings on the lot. Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Education centre (other than child care centre)</td>
<td></td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Rural store)</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<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>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
</tbody>
</table>
Use

Nightclub
Office (other than Medical centre and Real estate agency)
Renewable energy facility
Retail premises (other than Landscape gardening supplies, Manufacturing sales, Market, Primary produce sales, Restaurant and Trade supplies)
Saleyard
Timber production

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 37.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is no more than 100 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than 100 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is no more than 200 square metres. The building must not be used to keep, board, breed or train animals.
Earthworks which change the rate of flow or the discharge point of water across a property boundary.

Earthworks which increase the discharge of saline water.

A building which is within any of the following setbacks:
- 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
- 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
- 20 metres from any other road.
- 5 metres from any other boundary.
- 100 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.

Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
- A waterway, wetland or designated flood plain.
- A dwelling not in the same ownership.
- A residential zone or urban growth zone where a precinct structure plan applies.

**Referral of applications**

An application of the kind listed below must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03.

- An application to use or develop land for any of the following:
  - Display home centre.
  - Education centre.
  - Hospital.
  - Industry.
  - Medical centre.
  - Place of worship.
  - Real estate agency.
  - Warehouse.

- An application to subdivide land to create a lot smaller than 40 hectares in area.

**Environmental audit**

Before a pre-school centre or primary school commences on potentially contaminated land, or before the construction or carrying out of buildings and works in association with a pre-school centre or primary school commences on potentially contaminated land, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or

- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
In this clause, “potentially contaminated land” means land used or known to have been used for industry, mining, or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of the land).

### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect on the future urban development and use of the land, and adjacent or nearby land, having regard to:
  - Any relevant Growth Corridor Framework Plan.
  - Any precinct structure plan being prepared for the area.
  - Any comments or directions of the referral authority.
- Whether the proposal will prejudice the logical, efficient and orderly future urban development of the land, including the development of roads, public transport and other infrastructure.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development.
- The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features, future urban use of the land, and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, public transport, walking and cycling networks, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require new or upgraded infrastructure, including traffic management measures.

### Signs

Sign requirements are at Clause 52.05. The zone is in Category 3. Despite the provisions of Clause 52.05-13, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes the sale of land or dwellings.

### Part B – Provisions For Land Where A Precinct Structure Plan Applies

#### Use of land

Any requirement in the Table of uses and any requirement specified in the schedule to this zone must be met.

A permit granted must be generally in accordance with the precinct structure plan applying to the land.
Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of a zone applied by the schedule to this zone</td>
<td>Must comply with any condition opposite the use in Section 1 of the applied zone. Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone as a use for which a permit is not required</td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
</tbody>
</table>

Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of a zone applied by the schedule to this zone</td>
<td>Must comply with any condition opposite the use in Section 2 of the applied zone. Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone as a use for which a permit is required</td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of a zone applied by the schedule to this zone</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone</td>
</tr>
</tbody>
</table>

37.07-10

Subdivision of land

A permit is required to subdivide land. Any requirement in the schedule to this zone or the precinct structure plan must be met.

A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

37.07-11

Buildings and works

If the schedule to this zone specifies:

- That the provisions of a zone apply to the development of land, the provisions of the zone apply to land in the circumstances specified in the schedule.
Provisions relating to the development of land, those provisions apply to land in the circumstances specified in the schedule.

If the schedule to this zone specifies that a permit is required to construct a building or construct or carry out works, a permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

**Application requirements**

An application to use or subdivide land, construct a building or construct or carry out works, must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

An application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless the schedule to this zone specifies otherwise.

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant Growth Area Framework Plan.
- The precinct structure plan applying to the land, including the vision and objectives of the precinct structure plan.
- Any guidelines in the schedule to this zone.

**Inconsistencies between specific and applied zone provisions**

If there is an inconsistency between the specific provisions specified in the schedule to this zone and the provisions of a zone applied by the schedule to this zone, the specific provisions prevail to the extent of any inconsistency.

**Signs**

Sign requirements are at Clause 52.05. This zone is in the category specified in the schedule to this zone or, if no category is specified, Category 3.
SCHEDULE 1 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ1.

TRUGANINA SOUTH COMMUNITY PRECINCT STRUCTURE PLAN

The Plan

Map 1 shows the future urban structure proposed in the Truganina South Community Precinct Structure Plan. It is a reproduction of Plan 5 in the Truganina South Community Precinct Structure Plan.

Map 1 to Schedule 1 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown in Map 1 and shown as UGZ1 on the planning scheme maps.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (refer map 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local town centre &amp; Business Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Conservation site</td>
<td>Clause 35.07 – Farming Zone (Schedule 3)</td>
</tr>
<tr>
<td>Leakes Road</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The General Residential Zone specifies ‘Car wash’ as a section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land.’

Specific provisions - Use of land

Table 2: Retail premises uses within the Business Centre shown on Map 1

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equestrian supplies, lighting shop and party supplies</td>
<td>Prohibited.</td>
</tr>
<tr>
<td>Food and drink premises (other than convenience restaurant, hotel, tavern)</td>
<td>The total combined leasable floor area for all food and drink premises (other than convenience restaurant, hotel, tavern) must not exceed 1,000 square metres.</td>
</tr>
<tr>
<td>Hotel</td>
<td>Must be ancillary to a reception and/or conference centre.</td>
</tr>
<tr>
<td>Restricted retail premises (other than equestrian supplies, lighting shop and party supplies)</td>
<td>Must only be used to sell or hire office equipment and supplies. The total combined leasable floor area for all restricted retail premises must not exceed 3000 square metres.</td>
</tr>
<tr>
<td>Shop (other than restricted retail premises)</td>
<td>The total combined leasable floor area for all shops must not exceed 1,000 square metres.</td>
</tr>
</tbody>
</table>
Table 2: Retail premises uses within the Town Centre shown on Map 1

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tavern</td>
<td>Must be ancillary to a reception and/or conference centre.</td>
</tr>
</tbody>
</table>

A permit may be granted for a shop (other than adult sex bookshop) if the gross leasable floor area does not exceed 250 square metres.

**Specific Provision – Construction of single dwellings on small lots**

A permit is not required to construct or extend one dwelling on a lot between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is required to construct a front fence within 3 metres of a street unless the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

Or

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

**Specific provisions – matters of national environmental significance**

**Conservation Site – Conservation Management Plan**

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works on or immediately adjacent to land shown as ‘Conservation Site’ on Map 1 until a Conservation Management Plan is approved to the satisfaction of the Department of Sustainability and Environment.

A Conservation Management Plan may be amended by a landowner, or person proposing to develop the land, to the satisfaction of the Department of Sustainability and Environment.

**Conservation Site - management and security requirements**

Subdivision of land within the ‘Conservation Site’ and within 30m of the ‘Conservation Site’ must be in accordance with the requirements of a Conservation Management Plan approved to the satisfaction of the Department of Sustainability and Environment. Before subdivision or where appropriate concurrent with subdivision, the person developing the land must:

- permanently secure the site for the conservation of the threatened species; and
- carry out the management actions specified in the Conservation Management Plan in the timeframes specified in the Conservation Management Plan.

Where a management action specified in the Conservation Management Plan is not completed during the course of the development, the person developing the land must, before the issue of a certificate of compliance, provide for the completion of those actions by one or more of:

- registered on-title agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority and the Department of Sustainability and Environment that provides for the completion of management actions;
registered on-title agreement under Section 69 of the Conservation Forests and Lands Act 1987; a conservation covenant under the Victorian Conservation Trust Act 1972; or transfer of the land to public ownership as a reserve for the purposes of conservation under the Crown Land (Reserves) Act 1978 as a park under the National Parks Act 1975.

3.0 Application requirements

Subdivision

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- the provision, staging and timing of stormwater drainage works;
- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- the provision of public open space and land for any community facilities;
- what, if any, infrastructure set out in the Truganina South Community Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency; and
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

Urban Design Framework - activity centres

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works on, or immediately adjacent to land shown as ‘town centre’ on Map 1 until an Urban Design Framework for the relevant activity centre has been approved by the responsible authority.

The Urban Design Framework must be generally in accordance with the Truganina South Community Precinct Structure Plan.

The responsible authority may reduce or waive the requirement to prepare an Urban Design Framework if it is satisfied that the proposal will not prejudice the achievement of the objectives and planning and design guidelines for the activity centre set out in the Truganina South Community Precinct Structure Plan.

An Urban Design Framework may be prepared in stages and amended to the satisfaction of the responsible authority.

Subdivision - residential development

In addition to the requirements of Clause 56, an application for subdivision must be accompanied by the following information for all of the land in the contiguous ownership of the landowner forming part of the development:

- the proposed use and development of each part of the land;
- the staging of the development.

In addition to the requirements of Clause 56, an application for a residential subdivision of 10 lots or more must be accompanied by Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority. The guidelines must address the following:
how development of the lots will support environmental sustainability and reduce reliance on non-renewable energy sources; and

where vehicle entrance to a lot is from the rear, detailed design of the rear laneway and access arrangements in accordance with Council’s guidelines.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

4.0 28/08/2014

Conditions and requirements for permits

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Truganina South Community Precinct Structure Plan and the Truganina South Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the permit.

Land required for community facilities, public open space or public roads must be shown on a plan of certification as a reserve in favour of Wyndham City Council or another relevant person or body.

Before a plan is certified for a subdivision (or the relevant stage of a subdivision) where building envelopes are proposed, each lot between 250 square metres and 300 square metres in area must contain a building envelope (in accordance with Part 4 of the Building Regulations) to the satisfaction of the responsible authority.

If an approved building envelope applies to a lot between 250-300 square metres under section 2.4 of this schedule a planning permit must contain a condition that requires the approved building envelopes be applied as a restriction on the plan of subdivision or through an agreement under section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:

- the building envelope plan to apply to each relevant lot;
- all buildings to conform to the building envelope on the relevant lot;
- the construction of a building outside the building envelope only with the written consent of the responsible authority; and
- a building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

Or

If construction of a single dwelling on a lot is to be assessed against the Small Lot Housing Code under section 2.4 of this schedule any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required, enter into an agreement or agreements under section 173 of the Act which specifies the infrastructure required to be provided as part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Requirements for subdivision and development associated with the Conservation Site

A road interface should be provided between any residential development (excepting the drainage reserve) and the Conservation Site. If there are compelling reasons for an alternative to this treatment, then this alternative treatment must:
- provide sufficient separation distances from residential dwellings to the Conservation Site;
- predominantly be an impervious hard surface that minimises the potential for weed invasion;
- provide cycle and pedestrian connectivity;
- ensure passive surveillance and have residential dwellings that positively address the Conservation Site; and
- be approved by the Department of Sustainability and Environment.

Before the commencement of works the following actions are to be undertaken in accordance with the approved Conservation Management Plan for the Conservation Site:
- a fence must be erected along any boundary of the Conservation Site;
- controlled access points must be established along the boundary fence;
- signs must be erected at regular intervals on all fences identifying the Conservation Site and any relevant access limitations; and
- existing fencing within the Conservation Site must be removed.

A Construction Management Plan is to be prepared to the satisfaction of the Department of Sustainability and Environment prior to the subdivision or development of land within 30m the Conservation Site. The Construction Management Plan is to address any requirements of the Conservation Management Plan and ensure that the Conservation Site is protected.

**Biodiversity - offsets and translocation**

Prior to the commencement of works on that part of a property within which Golden Sun Moth habitat has been identified, offsets for the removal of Golden Sun Moth habitat within the land must be provided to the satisfaction of the Department of Sustainability and Environment or an agreement entered into to provide offsets to the satisfaction of the Department of Sustainability and Environment.

Prior to the commencement of works in respect of any plan of subdivision within which Striped Legless Lizard native habitat has been identified offsets for removal of Striped Legless Lizard native habitat and the means to achieve these offsets, must be approved by the Secretary of the Department of Sustainability and Environment.

Prior to the commencement of any buildings or works, a fully costed Striped Legless Lizard translocation / salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment.

The Striped Legless Lizard translocation / salvage plan must be implemented to the satisfaction of the responsible authority.

**Exemption from notice and review**

The exemption from notice and review under Clause 37.07-13 does not apply in residential areas outside the Peripheral Area shown in Plan 8: Housing Plan of the Truganina South Community Precinct Structure Plan incorporated in this scheme:
- if the use is listed under Section 2 of Clause 32.08-1;
- to buildings and works associated with a use listed under Section 2 of Clause 32.08-1;
except where the use is shown in the Truganina South Community Precinct Structure Plan incorporated in this scheme.

**Advertising signs**

The following advertising sign categories in this scheme apply by reference to Map 1 of this Schedule.
Table 3: Advertising signs

<table>
<thead>
<tr>
<th>Land shown on map 1 of this schedule</th>
<th>Advertising sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Category 3</td>
</tr>
<tr>
<td>Local town centre / Business centre</td>
<td>Category 1</td>
</tr>
<tr>
<td>All other land</td>
<td>Category 4</td>
</tr>
</tbody>
</table>
SCHEDULE 2 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ2.

TRUGANINA EMPLOYMENT PRECINCT STRUCTURE PLAN (DECEMBER 2009)

The Plan

Map 1 shows the future urban structure proposed in the Truganina Employment Precinct Structure Plan.

Map 1 to Schedule 2 to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply where the land is in both UGZ2 on the planning scheme maps, and on Map 2 of this schedule.

Map 2 to Schedule 2 to Clause 37.07

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building, and construction or carrying out of works by reference to Map 2 of this Schedule:
Table 1: Applied Zone provisions

<table>
<thead>
<tr>
<th>Land as shown on map 2 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business 3 Zone</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Industrial 2 Zone</td>
<td>Clause 33.02 – Industrial 2</td>
</tr>
<tr>
<td>Industrial 3 Zone</td>
<td>Clause 33.03 – Industrial 3</td>
</tr>
<tr>
<td>Leakes Road</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
</tbody>
</table>

2.3

Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

*Note:* e.g. The Commercial 2 Zone specifies ‘Supermarket’ as a section 1 and section 2 use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone’. In this instance the condition should read as: ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

2.4

Specific provisions – Use of land

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>No more than 500 square metres of leasable floor area may be permitted for any one premises on land shown as General Industrial A, General Industrial B or Heavy Industrial on Map 1.</td>
</tr>
<tr>
<td>Cemetery/ Crematorium</td>
<td>A permit is not required to use or develop land for a cemetery/crematorium on land known as Lot 7 TP7245, Doherty Road Truganina.</td>
</tr>
</tbody>
</table>

2.5

Application requirements for biodiversity management

Any application to use or subdivide land, construct a building or construct or carry out works must:

- Identify any native vegetation on the land
- Identify any native vegetation proposed for removal, lopping or pruning as part of the application.

If native vegetation is proposed for removal provide the following information:

- A detailed flora and fauna survey that identifies the location of flora and fauna within all land in contiguous ownership or control of the applicant and proposed management required to mitigate the impacts of the development on significant species to the satisfaction of the Department of Sustainability and Environment. This requirement cannot be waived or reduced.
- A Biodiversity Plan, where required, to the approval of the Department of Sustainability and Environment that identifies vegetation to be retained, vegetation to be removed, and offsets to be secured in the long term. The Biodiversity Plan must be in line with the three step approach to achieve net gain of Victoria’s Native Vegetation Framework and where native vegetation is to be removed the Native Vegetation Plan must include an Offset Plan.

2.6

Specific provisions – Resolution of doubt

If any doubt arises as to whether a provision specified in the schedule applies to land, a permit may be granted for any use or development if the responsible authority is satisfied that the use or development is in accordance with the incorporated Truganina Employment Precinct Structure Plan.
Referral of applications

An application on land shown as ‘Affected Properties’ in Map 3 to this schedule must be referred in accordance with section 55 of the Act to the Director of Public Transport.

Map 3 to Schedule 2 to Clause 37.07

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Notice of applications

In accordance with Section 52(1)(c) of the Act, notice of an application on land shown as ‘General Industrial B’ on Map 1 to this schedule to use land, subdivide land or to construct a building or construct or carry out works must be given to the Secretary of the Department of Justice unless otherwise agreed in writing between the responsible authority and the Secretary. The notice must be accompanied by a copy of the application, existing conditions and development plans.

---

Advertising signs

Land in UGZ2 is in category 2.
Specific provision - land sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land that are displayed on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land with an area greater than 10 square metres.
SCHEDULE 3 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ3.

MANOR LAKES PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 shows the future urban structure proposed in the Manor Lakes Precinct Structure Plan. It is a reproduction of Plan 5 in the Manor Lakes Precinct Structure Plan.

Map 1 to Schedule 3 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown in Map 1 and shown as UGZ3 on the planning scheme maps.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (refer map 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Town Centre/Local Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Employment</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| Shop where the applied zone is Commercial 1 Zone | A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following area for the relevant centre as described in the Manor Lakes Precinct Structure Plan:  
  - 8000 square metres for land shown as a local town centre  
  - 1500 square metres for land shown as a local centre |

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Manor Lakes Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the Manor Lakes Precinct Structure Plan and with the prior written consent of the Responsible Authority.

Specific provisions – Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

Specific provisions - Referral of applications

An application to develop land for a sensitive use within 500 metres of the property boundary of the land containing the Barro Group Quarry, Argoona Road, Mambourin subject to Work Authority 43 (WA43) under the Mineral Resources (Sustainable Development) Act 1990, must be referred to the Department of Primary Industries (DPI). DPI may request a risk assessment prepared by a suitably experienced and qualified consultant that acknowledges the existing and future land use at the Barro Quarry and provides sufficient confidence that a sensitive use can be safely developed.
within 500 metres of the Barro Quarry. The application and risk assessment (if required) must be referred to the Program Manager - Planning in the Earth Resources Regulation Branch at the Department of Primary Industries.

2.6
28/06/2012
C154

Specific provisions - Referral of subdivision to the Director of Public Transport - Consistency with the Manor Lakes Precinct Structure Plan for the purpose of under Clause 52.36-1

Clause 52.36 requires referral of some applications to the Director of Public Transport. For the purpose of Clause 52.36-1 of the Victoria Planning Provisions a development is consistent with the Manor Lakes Precinct Structure Plan where the following requirements are met:

- A road nominated on Plan 12 – Public Transport in the Manor Lakes Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the Manor Lakes Precinct Structure Plan;
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- Prior to the issue of a Statement of Compliance for any subdivision stages bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:
  - in accordance with the Public Transport Guidelines for Land Use and Development and
  - compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002 at locations approved by the Director of Public Transport;
  - at no cost to the Director of Public Transport and to the satisfaction of the Director of Public Transport.

3.0
28/06/2012
C154

Application requirements

Subdivision - residential development

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what, if any, infrastructure set out in the Manor Lakes Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of Wyndham City Council;
- the provision of public open space and land for any community facilities; and
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.
Conditions and requirements for permits

Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening.

Land required for community facilities, as set out in the Manor Lakes Precinct Structure Plan or the Manor Lakes Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Manor Lakes Development Contributions Plan.

Land required for public open space as a local or district park, as set out in the Manor Lakes Precinct Structure Plan or the Manor Lakes Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Manor Lakes Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the Manor Lakes Development Contributions Plan.

4.1 Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

4.2 Construction of connector street creek crossings

Unless arrangements for the construction of any connector street creek crossings as shown in the Manor Lakes Precinct Structure Plan have been made to the satisfaction of the responsible authority, a permit for subdivision of land which requires access via a creek crossing must provide for the construction of the creek crossing, or include a requirement that the owner of the land under permit enter into an agreement under Section 173 of the Planning and Environment Act 1987 to contribute towards the construction of the creek crossing.

4.3 Biodiversity

Eastern Grey Kangaroo

Any permit granted for subdivision must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:
  - Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos; and
  - Management solutions and action to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

- The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:
- Proceeding in the order of stages as shown on the plan; and
- Implementing the management solutions and actions of the Plan,

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

**Offsets and translocation**

Any permit granted for subdivision, buildings and/or works must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works within non-native vegetation that is Golden Sun Moth habitat (as shown on Plan 10 – Threatened Species/Communities Action Plan of the Manor Lakes Precinct Structure Plan), offsets for the removal of Golden Sun Moth habitat within the land that is non-native vegetation must be provided to the satisfaction of the Secretary of the Department of Sustainability and Environment.

- Prior to the commencement of any buildings or works, a fully costed Striped Legless Lizard salvage and translocation plan must be prepared to the satisfaction of the Department of Sustainability and Environment.

- The Striped Legless Lizard salvage and translocation plan must be implemented to the satisfaction of the Responsible Authority.

**Development within 50m of native vegetation to be protected**

Prior to commencement of works within 50 metres of native vegetation ‘to be protected’ in the Native Vegetation Precinct Plan applying to the land (see the Schedule to Clause 52.16 of the Wyndham Planning Scheme), a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority which addresses the following matters:

- A highly visible vegetation protection fence to be erected around twice the canopy distance of each scattered tree identified to be protected, unless otherwise agreed in writing by the Department of Sustainability and Environment.

- Any construction stockpiles, fill and machinery to be located away from areas supporting native vegetation and drainage lines to the satisfaction of the Responsible Authority.

**Advertising signs**

The following advertising sign categories in this scheme apply by reference to Map 1 of this Schedule.

**Table 3: Advertising signs**

<table>
<thead>
<tr>
<th>Land shown on plan 1 of this schedule</th>
<th>Advertising sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Category 3</td>
</tr>
<tr>
<td>Local Town Centre</td>
<td>Category 1</td>
</tr>
<tr>
<td>Employment</td>
<td>Category 2</td>
</tr>
<tr>
<td>Local Centre</td>
<td>Category 1</td>
</tr>
<tr>
<td>All other land</td>
<td>Category 4</td>
</tr>
</tbody>
</table>

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:
- The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 4 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ4

ALFRED ROAD PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 to Schedule 4 to Clause 37.07 shows the Future Urban Structure for Alfred Road. It is a reproduction of Plan 2 in the Alfred Road Precinct Structure Plan.

Map 1 to Schedule 4 to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown as ‘Precinct Structure Plan Area’ in Map 1 of this schedule and shown as UGZ4 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use or development (carried out or proposed)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>generally in accordance with the precinct structure plan applying to the land</td>
<td></td>
</tr>
<tr>
<td>Local convenience centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions - shop use in applied Commercial 1 Zone

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if:</td>
</tr>
<tr>
<td></td>
<td>· the combined leasable floor area of all shops exceeds 1,500 square metres.</td>
</tr>
<tr>
<td></td>
<td>· the leasable floor area of an individual shop premises exceeds 600 square metres.</td>
</tr>
</tbody>
</table>

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the ‘Alfred Road Precinct Structure Plan’ as passive open space provided the use or development is carried out generally in accordance with the ‘Alfred Road Precinct Structure Plan’ and with the prior written consent of Wyndham City Council.

Specific provisions – Buildings and works

Specific provisions – Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.
3.0 Application requirements
If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1 Land budget Public Infrastructure Plan
An application for subdivision must address the requirements of Clause 56 of the Wyndham Planning Scheme. In addition to any requirement in 56.01-2 a subdivision design response must include:

- A land budget table, to the same format and methodology as those within this PSP, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.

3.2 Public Infrastructure Plan
An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- The provision, staging and timing of stormwater drainage works.
- What land may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- The landscaping of any land.
- The provision of public open space and land for any community facilities.
- What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency.
- The provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water.
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.3 Surface and subsurface water assessment
An application for subdivision must be accompanied by an assessment of surface and subsurface water conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of the development on groundwater.

3.4 Access to Geelong Road assessment
An application that proposes to create or change access to Geelong Road or the proposed Ison Road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit must be to the satisfaction of VicRoads.

3.5 Rail noise assessment
An application that proposes, or will allow, residential buildings within 80 metres of a rail track within the Melbourne-Geelong Rail Line land must be accompanied by an assessment of noise and vibration impacts on the development from the rail operations at the time of the application.
3.6
15/08/2013
C159

Potential contamination assessment
An application to use or develop land for a sensitive use must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which provides information including:

- detailed assessment of the matters outlined as potential contaminants on the land documented in ‘Stage 1 and 2 Desktop Environmental, Hydrogeological and Geotechnical Assessment, Report on PSP area 43 – Alfred Road, Draft V2, 23 July 2010’ by SKM.

- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the ‘Potentially Contaminated Land General Practice Note June 2005, DSE’.

- Recommended remediation actions for any potentially contaminated land.

3.7
23/07/2015
C141

Egg farm emissions assessment
An application to use or develop land for a sensitive use on land marked as ‘land subject to odour assessment’ must be accompanied by a risk assessment prepared by a suitably experienced and qualified person. The risk assessment must acknowledge the existing egg farm operations at 170-198 Bulban Road, Werribee and assess the adverse amenity impacts of the poultry facility on the future use or development of the land for a sensitive use, providing sufficient confidence of the suitability of any sensitive use.

4.0
23/07/2015
C141

Conditions and requirements for permits

4.1
15/08/2013
C159

Tree reserve and landscape buffer requirement
Land set aside for tree reserves or landscape buffers as set out in the ‘Alfred Road Precinct Structure Plan’ must be transferred to or vested in Council at no cost to Council unless the land is funded by an incorporated Development Contributions Plan.

4.2
28/08/2014
C181

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres
Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

4.3
15/08/2013
C159

Subdivision of convenience centre lot - requirement
The boundary of a local convenience centre lot within the applied Commercial 1 Zone must be shown on a plan of subdivision to the satisfaction of the responsible authority.

4.4
23/07/2015
C141

Nationally threatened species and communities - conditions
A permit for subdivision, or to construct a building or construct or carry out works must contain the following condition:
The ‘Protocol for the Salvage Translocation of Threatened Species in Melbourne’s Growth Corridors’ (Department of Sustainability and Environment, 2012) must be implemented to the satisfaction of Department of Environment and Primary Industries.

Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 fees for the clearing of threatened species habitat and/or native vegetation within the lot must be provided to the satisfaction of the Department of Environment and Primary Industries unless otherwise agreed by the Department of Environment and Primary Industries.

These conditions are not required to be included in a permit where the Department of Environment and Primary Industries has confirmed in writing that the conditions have previously been met.

### 4.5

**Design of intersections with existing and future arterial roads - requirements and conditions**

A permit that creates or changes access to Geelong Road or the future Ison Road must require the preparation of a Functional Layout Plan for the permitted access to the satisfaction of the road management authority.

Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

The land required for road flaring must be transferred to or vested as ‘road’ in the Roads Corporation (in the case of land for arterial roads under the Road Management Act 2004) or in Wyndham City Council (in the case of other roads) at no cost unless that road or road widening land is funded by an incorporated Development Contributions Plan.

### 4.6

**Precinct Infrastructure Plan - condition**

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:

- The implementation of the Public Infrastructure Plan approved under this permit.
- The purchase and/or reimbursement by the responsible authority for any provision of public open space in excess of the amount specified in the schedule to clause 52.01.
- The timing of any payments to be made to the owner having regard to the availability of funds in the open space account.

### 5.0

**Exemption from notice and review not to apply to certain applications**

In accordance with section 52(1)(c) of the Act, notice of an application to use or develop land for a sensitive use on land shown as ‘land subject to odour assessment’ on Map 1 of this schedule must be given to the owner/operator of the egg farm at 170-198 Bulban Road, Werribee.

### 6.0

**Advertising signs**

Land is in the category specified in the applied zone.

### 6.1

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres.
Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.

- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 5 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ5.

POINT COOK WEST PRECINCT STRUCTURE PLAN

The Plan

Map 1 shows the future urban structure proposed in the Point Cook West Precinct Structure Plan. It is a reproduction of Plan 2 in the Point Cook West Precinct Structure Plan.
Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown within the ‘precinct boundary’ on Map 1 of this Schedule and shown as UGZ5 on the planning scheme maps.
Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>generally in accordance with the precinct structure plan applying to the land (refer map 1)</td>
<td></td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td>Clause 34.01 – Commercial 1 Zone*</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

*If no local convenience centre is developed then the land reverts to an applied General Residential Zone

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Point Cook West Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the Point Cook West Precinct Structure Plan and with the prior written consent of Wyndham City Council.

Specific Provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

Specific provisions – Referral of applications to the Director of Public Transport

For the purpose of Clause 52.36-1 of the planning scheme a development is generally in accordance with the Point Cook West Precinct Structure Plan (October 2012) where the following requirements are met:

- a road nominated on Plan 4 – Public Transport and Trails in the Point Cook West Precinct Structure Plan as a potential bus route is constructed (including any partial construction where relevant) in accordance with its corresponding cross section in the Point Cook West Precinct Structure Plan and in accordance with the Public Transport Guidelines for Land Use and Development;

- signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Point Cook West Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport;

- any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and

- unless otherwise agreed in writing with the Director of Public Transport, prior to the issue of a Statement of Compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder, as follows:
  - generally in the location identified by the Director of Public Transport;
- in accordance with the Public Transport Guidelines for Land Use and Development with a concrete hard stand area, and in activity centres a shelter must also be constructed;
- be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
- be provided with direct and safe pedestrian access to a pedestrian path

to the satisfaction of the Director of Public Transport.

A responsible authority may address any of the above matters through planning permit conditions.

**3.0**

29/11/2012
C163

**Application requirements**

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**3.1**

29/11/2012
C163

**Subdivision - residential development**

In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels.
- For applications in the vicinity of the Shell high pressure oil pipelines, a response to the Shell documents Conditions For Works Near Shell & WAG High Pressure Pipelines In Victoria and Land Use Planning, Development & Subdivision Near Shell & W.A.G. High Pressure Pipelines In Victoria.

An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- The provision, staging and timing of stormwater drainage works;
- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- The landscaping of any land;
- The provision of public open space and land for any community facilities;
- What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.
Conditions and requirements for permits

Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening.

Land required for community facilities, as set out in the Point Cook West Precinct Structure Plan or the Point Cook West Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Point Cook West Development Contributions Plan.

Land required for public open space as a local park, as set out in the Point Cook West Precinct Structure Plan or the Point Cook West Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Point Cook West Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Point Cook West Development Contributions Plan.

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Biodiversity

Striped Legless Lizard

Any permit which would allow subdivision, building or works that will impact on an area of land identified as potential habitat for Striped Legless Lizard on Plan 3 – Threatened Species Action Plan in the Point Cook West Precinct Structure Plan must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Secretary of the Department of Sustainability and Environment before during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.

Growling Grass Frog

Any permit which would allow subdivision, buildings or works that will impact on an area identified on Plan 3 – Threatened Species Action Plan and Biodiversity in the Point Cook West Precinct Structure Plan as Growling Grass Frog Category suitable habitat must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:
Prior to the commencement of any buildings or works, a fully costed Growling Grass Frog Conservation Management Plan that directs the salvage and translocation must be prepared to the satisfaction of the Department of Sustainability and Environment and be submitted to and approved by the Responsible Authority. The approved Growling Grass Frog Conservation Management Plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

5.0

Advertising signs

The following advertising sign categories in this scheme apply by reference to Map 1 of this Schedule.

Table 2: Advertising signs

<table>
<thead>
<tr>
<th>Land shown on plan 1 of this Schedule</th>
<th>Advertising sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Category 3</td>
</tr>
<tr>
<td>Local Convenience Centre*</td>
<td>Category 1</td>
</tr>
<tr>
<td>All other land</td>
<td>Category 4</td>
</tr>
</tbody>
</table>

* If no Local Convenience Centre is developed then Category 3 would apply.

5.1

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- the advertisement area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of no more than 4 signs per frontage;
- the sign is not animated, scrolling, electronic or internally illuminated sign;
- the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- the sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 6 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ6.

BLACK FOREST ROAD SOUTH PRECINCT STRUCTURE PLAN

The Plan

Map 1 shows the future urban structure proposed in the Black Forest Road South Precinct Structure Plan. It is a reproduction of Plan 2 in the Black Forest Road South Precinct Structure Plan.

Map 1 to Schedule 6 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown on Map 1 and shown as UGZ6 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (Refer map 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Local Town Centre Mixed Use-Commercial</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Employment</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Regional Rail Link</td>
<td>Clause 36.01 – Public Use Zone 4</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 8000 square metres.</td>
</tr>
<tr>
<td>Shop, supermarket and restricted retail premises where the applied zone is Commercial 2 Zone</td>
<td>A permit is required to use land for a shop, supermarket and restricted retail premises.</td>
</tr>
<tr>
<td>Primary school</td>
<td>A permit is not required to use land for a Primary School on land shown as Potential Non-Government Primary School.</td>
</tr>
</tbody>
</table>

Buildings and works associated with Non Government Education Facility

A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non-government school unless exempt under Clauses 62.02-1 and 62.02-2.

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Black Forest Road South Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the Black Forest Road South Precinct Structure Plan and with the prior written consent of Wyndham City Council.
2.5 28/08/2014  C181

Specific Provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

2.6 15/08/2013  C169

Specific provisions – Referral of applications – Holcim Quarry

An application to develop land for a sensitive use within 480 metres of the property boundary of the land containing the Holcim Quarry, 780 Bulban Road, Mambourin subject to Work Authority 240 (WA240) under the *Mineral Resources (Sustainable Development) Act 1990*, must be referred to the Department of Environment and Primary Industries (DEPI). DEPI may request a risk assessment prepared by a suitably experienced and qualified consultant that acknowledges the existing and future land use at the Holcim Quarry and provides sufficient confidence that a sensitive use can be safely developed within 480 metres of the Holcim Quarry. The application and risk assessment (if required) must be referred to the Program Manager - Planning in the Earth Resources Regulation Branch at the DEPI.

An application for the construction of a building within 200 metres of the property boundary of the land containing the Holcim Quarry, 780 Bulban Road, Mambourin subject to Work Authority 240 (WA240) under the *Mineral Resources (Sustainable Development) Act 1990*, must include a risk assessment prepared by a suitably experienced and qualified consultant that acknowledges the existing and future land use at the Holcim Quarry and provides sufficient confidence that a building can be safely developed within 200 metres of the Holcim Quarry. The application and risk assessment must be referred to the Program Manager - Planning in the Earth Resources Regulation Branch at the DEPI.

3.0 23/07/2015  C141

Application requirements

If in the opinion of the responsible authority an application requirement listed at 3.1 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1 15/08/2013  C169

Subdivision - residential development

An application for subdivision must address the requirements of Clause 56 of the Wyndham Planning Scheme. In addition to any requirement in 56.01-2 a subdivision design response must include:

- A land budget table, to the same format and methodology as those within the Black Forest Road South Precinct Structure Plan, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.

An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- what land may be affected or required for the provision of infrastructure works.
- the provision, staging and timing of stormwater drainage works.
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- the landscaping of any land.
- what if any infrastructure set out in the Wyndham West Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of Wyndham City Council.
- the provision of public open space and land for any community facilities.
- any other matter relevant to the provision of public infrastructure required by the responsible authority.
An application that proposes, or will allow, residential buildings within 80 metres of a rail track within the Melbourne-Geelong Rail Line land must be accompanied by an assessment of noise and vibration impacts on the development from the rail operations at the time of the application.

### Specific provision – Land adjacent to Egg Farm, 170-198 Bulban Road, Werribee

An application to use or develop land for a sensitive use within 500 metres of the egg farm at 170-198 Bulban Road, Werribee must be accompanied by a risk assessment prepared by a suitably experienced and qualified person. The risk assessment must acknowledge the existing egg farm operations and assess the adverse amenity impacts of the egg facility on the future use or development of the land for a sensitive use, providing sufficient confidence of the suitability of any sensitive use within the buffer designated in the *Black Forest Road South Precinct Structure Plan*.

### Specific provision – Lollypop Creek Corridor

A planning permit application on land containing or abutting the Lollypop Creek Corridor its tributaries and environs should be accompanied by a plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance.
- Recreation facilities to be provided within public open space.
- Stormwater facilities that are compliant with the relevant approved drainage strategy.
- The retention and removal of vegetation and any revegetation.

### Specific Requirements – Growling Grass Frog Conservation Area

An application which includes construction of a road or pedestrian bridge within the area on Map 1 of this Schedule labelled ‘Encumbered land for conservation’ must be accompanied by an Environmental Assessment Plan which addresses the following:

- A detailed environmental assessment to inform the alignment of any proposed road or pedestrian crossing of the Growling Grass Frog Category 1 habitat. The Environmental Assessment must show the location of all bridge footings and impacts of the siting and construction works to the satisfaction of the DEPI.

### Conditions and requirements for permits

#### Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening.

Land required for community facilities, as set out in the *Black Forest Road South Precinct Structure Plan* or the *Wyndham West Development Contributions Plan*, must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Wyndham West Development Contributions Plan*.

Land required for public open space as a local or district park, as set out in the *Black Forest Road South Precinct Structure Plan* or the *Wyndham West Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Wyndham West Development Contributions Plan*.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the *Wyndham West Development Contributions Plan.*
Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Melbourne – Geelong Rail Corridor

Any recommendations contained in an assessment of noise and vibration impacts from the Melbourne – Geelong Rail Line operations on the development must be implemented by the developer of the relevant land as far as is reasonably practicable to the satisfaction of the responsible authority.

Biodiversity

Compensatory Habitat Fees

Any permit which would allow subdivision, buildings or works that will impact on a parcel of land containing Golden Sun Moth habitat as identified on Plan 6 – Threatened Species Action Plan of the Black Forest Road South Precinct Structure Plan as Golden Sun Moth habitat must contain the following condition unless otherwise agreed to in writing by the DEPI:

- Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 compensatory habitat fees for Golden Sun Moth habitat within the lot must be provided to the satisfaction of the DEPI. The fee for Golden Sun Moth habitat within a lot to be calculated based on the habitat area illustrated on Plan 6 – Threatened Species Action Plan of the Black Forest Road South Precinct Structure Plan.

Any permit which would allow subdivision, buildings or works that will impact on a parcel of land containing Growling Grass Frog Category 2 habitat as illustrated on Plan 6 – Threatened Species Action Plan in the Black Forest Road South Precinct Structure Plan must contain the following condition unless otherwise agreed to in writing by the DEPI:

- Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 compensatory habitat fees for Growling Grass Frog Category 2 habitat within the lot must be provided to the satisfaction of the DEPI. The fee for Growling Grass Frog Category 2 habitat within a lot to be calculated based on the habitat area identified on Plan 6 – Threatened Species Action Plan of the Black Forest Road South Precinct Structure Plan.

Salvage and Translocation Requirements

A permit for subdivision, or to construct a building or construct or carry out works must contain the following condition:

- The Protocol for the Salvage Translocation of Threatened Species in Melbourne's Growth Corridors (Department of Sustainability and Environment, 2012) must be implemented to the satisfaction of the DEPI.

Growling Grass Frog

Any permit granted for subdivision that will impact on land that includes ‘Area for Growling Grass Frog Category 1 habitat’ as identified in Plan 6 – Threatened Species Action Plan of the Black Forest Road South Precinct Structure Plan must contain the following conditions unless otherwise agreed to in writing by the DEPI:
• Unless the land included within the ‘Area for Growling Grass Frog Category 1 habitat’ identified on Plan 6 – Threatened Species Action Plan of the Black Forest Road South Precinct Structure Plan has been voluntarily transferred into the Crown Reserve System, the Owner must enter into a legally binding, in perpetuity, on-title agreement with the Secretary to the DEPI under Section 69 of the Conservation Forests and Lands Act 1987 prior to the commencement of works on the land unless otherwise agreed to in writing by the DEPI. The agreement must provide for the protection of the conservation area.

The landowner must pay the reasonable costs of preparation, execution and registration of the agreement.

Any permit which would allow construction of a road or pedestrian bridge within the area on Map 1 of this Schedule labelled ‘Encumbered Land for Conservation’ must contain the following conditions unless otherwise agreed to in writing by the DEPI:

• Before any works associated with a road or pedestrian bridge crossing of the Growling Grass Frog conservation area start, a Construction Environmental Management Plan must be prepared to the satisfaction of the DEPI and be approved by the responsible authority. The Construction Environmental Management Plan must include:
  - Overall environmental objectives for construction and techniques for achieving the environmental objectives
  - Construction timing and management techniques to protect environmental values before, during and after construction
  - Management of construction impacts on habitat types present in the work zone
  - Proposed monitoring systems
  - Identification of possible risks of operational failure and response measures to be implemented.
  - Day to day management requirements for development works.

The development must be conducted in accordance with the endorsed Construction Environmental Management Plan at all times. All actions specified in the endorsed plan must be completed and/or implement within the specified timeframes to the satisfaction of the responsible authority and the DEPI.

**Eastern Grey Kangaroo Management Plan**

Any permit granted for subdivision must contain the following condition unless otherwise agreed to in writing by the DEPI:

• Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the DEPI. The plan must include:
  - Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos; and
  - Management solutions and action to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:
  - Proceeding in the order of stages as shown on the plan and
  - Implementing the management solutions and actions of the Plan,

all to the satisfaction of the DEPI and the responsible authority.
Exemption from notice and review not to apply to certain applications

In accordance with section 52(1)(c) of the Act, notice of an application to use or develop land for a sensitive use within 500 metres of the egg farm at 170-198 Bulban Road, Werribee must be given to the owner/operator of the egg farm at 170-198 Bulban Road, Werribee.

Advertising signs

The following advertising sign categories in this scheme apply by reference to Map 1 of this Schedule.

Table 4: Advertising signs

<table>
<thead>
<tr>
<th>Land shown on plan 1 of this schedule</th>
<th>Advertising Sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential/Mixed Use</td>
<td>Category 3</td>
</tr>
<tr>
<td>Local Town Centre/Local Convenience Centre/Mixed Use-Commercial</td>
<td>Category 1</td>
</tr>
<tr>
<td>Employment</td>
<td>Category 2</td>
</tr>
<tr>
<td>All other land</td>
<td>Category 4</td>
</tr>
</tbody>
</table>

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- the advertisement area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- the sign is not animated, scrolling, electronic or internally illuminated;
- the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- the sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 7 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ7.

BLACK FOREST ROAD NORTH PRECINCT STRUCTURE PLAN

The Plan

Map 1 shows the future urban structure proposed in the Black Forest Road North Precinct Structure Plan. It is a reproduction of Plan 2 in the Black Forest Road North Precinct Structure Plan.
Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown on Map 1 and shown as UGZ7 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (Refer map 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large local town centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Mixed use employment/commercial</td>
<td></td>
</tr>
<tr>
<td>Local convenience centre</td>
<td></td>
</tr>
<tr>
<td>Mixed use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Outer metropolitan ring transit corridor</td>
<td>Clause 36.04 – Road Zone – Category 1</td>
</tr>
<tr>
<td>Arterial road</td>
<td></td>
</tr>
<tr>
<td>Connector street</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
<tr>
<td>All land within the gas pipeline measurement length, except the outer metropolitan ring transit corridor, as shown on Plan 8 – Utilities of the precinct structure plan</td>
<td>Clause 32.08 – General Residential Zone 1</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

Specific provision - Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. the Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land.’

Specific provision – Use of land

The following provisions apply to the use of land.

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the precinct structure plan shows ‘Large local town centre’</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 25,000 square metres.</td>
</tr>
</tbody>
</table>
## Requirement

A permit is required to use land for a shop if the leasable floor area exceeds 150 square metres.

### Shop where the precinct structure plan shows 'mixed use employment/commercial'

A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 1,500 square metres.

### Shop where the precinct structure plan shows 'Local convenience centre'

A permit is not required to use land for a Primary School on land shown as Potential Non-Government Primary School.

### Primary school

A permit is required to use land for a dwelling.

### Dwelling where the applied zone is Mixed Use Zone

A permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as large local town centre in the incorporated Black Forest Road North Precinct Structure Plan until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority, the Growth Areas Authority and Public Transport Victoria.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application to use or subdivide land or to construct a building or carry out works on land shown as a large local town centre must be consistent with any urban design framework approved under this schedule.

A permit may be granted to use or subdivide land, or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives for the large local town centre set out in the incorporated Black Forest Road North Precinct Structure Plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The urban design framework may be amended to the satisfaction of the responsible authority, the Growth Areas Authority and Public Transport Victoria.

### Specific provision – Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a primary school or secondary school on land shown as a non-government school unless exempt under Clauses 62.02-1 and 62.02-2.

### Specific provision – Use and development of future public land

A permit is not required to use or develop land shown in the Black Forest Road North Precinct Structure Plan as community facility provided the use or development is carried out generally in accordance with the Black Forest Road North Precinct Structure Plan and with the prior written consent of Wyndham City Council.

### Specific provision – Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.
Specific provision – Construction of the intersection of western connector and Black Forest Road at the southern boundary of property 10

Unless arrangements for the construction of the intersection of the western north-south connector road and Black Forest Road shown in the incorporated Black Forest Road North Precinct Structure Plan have been made to the satisfaction of the responsible authority, a permit for subdivision of land shown as property 10 must provide for the construction of the intersection as a roundabout capable of accommodating a fourth intersection leg to the south, or include a requirement that the owner of the land under permit enter into an agreement under Section 173 of the Act to contribute towards the construction of the roundabout or other intersection treatment to the satisfaction of the relevant road management authority.

Application requirements

If in the opinion of the responsible authority an application requirement listed at 3.1 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision - residential development

An application for subdivision must address the requirements of Clause 56 of the Wyndham Planning Scheme. In addition to any requirement in 56.01-2 a subdivision design response must include:

- A land budget table, in the same format and methodology as within the Black Forest Road North Precinct Structure Plan, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields;
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories in Table 2 of the precinct structure plan applying to the land.

Public Infrastructure Plan

An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of stormwater drainage works.
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- The landscaping of any land.
- What, if any, infrastructure set out in the Wyndham West Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of Wyndham City Council.
- The provision of public open space and land for any community facilities.
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or responsible authority, as required.
Kangaroo management

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- Strategies to avoid land locking land adjacent to the subdivision that provides habitat to kangaroos; and
- Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.
- Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:
  - A copy of the approved Kangaroo Management Plan; and
  - A ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

Conditions and requirements for permits

Conditions for subdivision permits that allows the creation of a lot less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Biodiversity and Threatened Species Conditions

Any permit for subdivision must contain the following conditions:

Kangaroo Management Plan

Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Land, Environment, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Salvage and translocation

The Salvage and Translocation Protocol for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment and Primary Industries.

Public transport

Any permit for subdivision must contain the following condition:

Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:
In accordance with the Public Transport Guidelines for Land Use and Development and be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.

At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

4.4

Road network

Any permit for subdivision or building and works must contain the following condition:

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless the transfer is funded by the Wyndham West Development Contributions Plan.

4.5

Construction Management Plan – Protection of gas transmission

Prior to the commencement of any building or works, including demolition, on land shown as gas pipeline measurement length on Plan 8 – Utilities in the incorporated Black Forest Road North Precinct Structure Plan, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.

- Be endorsed by the operator of the gas transmission pipeline where the works are within, crossing or within 50 metres of the relevant gas transmission easement.

- Include any other relevant matter to the satisfaction of the responsible authority.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may be amended to the satisfaction of the responsible authority.

4.6

Bushfire management

Before the commencement of works for any stage of subdivision a Site Management Plan that addresses bushfire risk during, and where necessary, after construction must be submitted to and approved by the responsible authority. The plan must specify, amongst other things:

- The staging of development and the likely bushfire risks at each stage.

- An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed.

- The measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire.

- How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

The plan must be carried out to the satisfaction of the responsible authority.

5.0

Notice to gas transmission pipeline owner and operator

Notice must be given to the person or body listed in the Schedule to Clause 66.06 of an application on land shown within the gas pipeline measurement length on Plan 8 – Utilities in the incorporated Black Forest Road North Precinct Structure Plan, where the application is to:
- Use land;
- Construct 10 or more dwellings on a lot.

### 6.0

**Advertising signs**

The advertising sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

### 6.1

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

### 7.0

**Decision guidelines**

Before deciding on an application to use land for a shop in a town or convenience centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider:

- The demand for the additional shop floor space in the area; and
- The effect on existing and planned town centres within the total primary retail catchment estimated to result from the proposal and the existing floor space in the centre.

Before deciding on an application to construct a building or construct or carry out works in a large local town centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider the *Large local town centre urban design framework concept* and the *Town centre design guidelines* in the precinct structure plan applying to the land.
SCHEDULE 8 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ8**.

BALLAN ROAD PRECINCT STRUCTURE PLAN

The Plan

Map 1 to Schedule 8 to Clause 37.07 shows the Future Urban Structure for Ballan Road. It is a reproduction of Plan 2 in the Ballan Road Precinct Structure Plan.

MAP 1 To Schedule 8 to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown as ‘Precinct Structure Plan Area’ in Map 1 of this schedule and shown as UGZ8 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

<table>
<thead>
<tr>
<th>Land use or development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local town centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local convenience centre</td>
<td></td>
</tr>
<tr>
<td>Mixed use employment/commercial</td>
<td>Clause 32.04s1 – Mixed Use Zone 1</td>
</tr>
<tr>
<td>Ballan Road widening</td>
<td>Clause 36.04 – Road Zone Category 1</td>
</tr>
<tr>
<td>Connector street</td>
<td>Clause 36.04 – Road Zone Category 2</td>
</tr>
<tr>
<td>Waterway (Encumbered) – where waterway is Werribee River and its tributaries</td>
<td>Clause 36.03 – Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>Proposed Werribee Township Regional Park – Drainage (encumbered)</td>
<td></td>
</tr>
<tr>
<td>Proposed Werribee Township Regional Park – (unencumbered)</td>
<td></td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07s1 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

Specific provision – Reference to a public land manager in an applied zone

Where Public Conservation and Resource Zone is applied in Table 1 and the land is in private ownership Melbourne Water or Wyndham City Council or Parks Victoria, as appropriate, is the public land manager for the purposes of the zone.

Specific provision – Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Residential Growth Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.
Specific provision – Use and development of future public land

A permit is not required to use or develop land shown in the Ballan Road Precinct Structure Plan as a local park, sports fields or community facilities provided the use or development is carried out generally in accordance with the Ballan Road Precinct Structure Plan and with the prior written consent of the responsible authority.

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:</td>
</tr>
<tr>
<td></td>
<td>• 5,000 square metres for land shown as a local town centre in the incorporated Ballan Road Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>• 500 square metres for land shown as a local convenience centre in the incorporated Ballan Road Precinct Structure Plan.</td>
</tr>
</tbody>
</table>

Specific provision – Construction of one dwelling on a lot less than 300 square metres in area

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

Specific provision – Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non government school unless exempt under Clauses 62.02-1 and 62.02-2.

Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

All subdivision applications – stormwater and kangaroo management

Stormwater management

Any application for subdivision must be accompanied by a Stormwater Management Strategy that addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water.

Kangaroo management

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- strategies to avoid land locking land adjacent to the subdivision that provides habitat to kangaroos; and
management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or

management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

**Traffic Impact Assessment**

An application that proposes to create or change access to Ballan Road or Hobbs/Armstrong Road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads (in the case of Ballan Road) or Wyndham City Council (in the case of Hobbs/Armstrong Road).

**Residential subdivision**

In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories in Table 2.

An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- A stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water.
- What land may be affected or required for the provision of infrastructure works
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment
- The landscaping of any land
- The provision of public open space and land for any community facilities
- What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application to use or develop land must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of ‘Stage 1 and 2 – Desktop Environmental, Hydrogeological and Geotechnical Assessment: REPORT ON PSP AREA 40 – BALLAN ROAD’ (SKM, March 2013) and provides information including:

- Further detailed assessment of potential contaminants on the relevant land.
Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water.

Recommended remediation actions for any potentially contaminated land.

3.3 Development applications on land containing or abutting the Werribee River, its tributaries and environs

An application on land containing or abutting the Werribee River, its tributaries and environs must be accompanied by:

A plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
- Recreation facilities to be provided within public open space; and
- Stormwater facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation; and
- The width of the waterway corridor to the satisfaction of Melbourne Water and the responsible authority.

A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.

4.0 Conditions and requirements for permits

Refer to the precinct structure plan applying to the land.

5.0 Advertising signs

The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

5.1 Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 9 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ9.

WESTBROOK PRECINCT STRUCTURE PLAN

1.0  

The Plan

Map 1 to Schedule 9 to Clause 37.07 shows the Future Urban Structure for Westbrook. It is a reproduction of Plan 2 in the Westbrook Precinct Structure Plan.

MAP 1 To Schedule 9 to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown as ‘Precinct Structure Plan Area’ in Map 1 of this schedule and shown as UGZ9 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use or development (carried out or proposed)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>generally in accordance with the precinct structure plan applying to the land</td>
<td></td>
</tr>
<tr>
<td>Local town centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local convenience centre</td>
<td></td>
</tr>
<tr>
<td>Employment area</td>
<td>Clause 34.02 – Industrial 1 Zone</td>
</tr>
<tr>
<td>Arterial road</td>
<td>Clause 36.04 – Road Zone Category 1</td>
</tr>
<tr>
<td>Outer Metropolitan Ring Transit Corridor</td>
<td></td>
</tr>
<tr>
<td>Connector road</td>
<td>Clause 36.04 – Road Zone Category 2</td>
</tr>
<tr>
<td>Waterway corridor</td>
<td>Clause 36.03 – Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>Retarding basins</td>
<td></td>
</tr>
<tr>
<td>Regional Rail Link Transit Corridor</td>
<td>Clause 36.01 – Public Use Zone 4</td>
</tr>
<tr>
<td>Future Rail Stabling Yard</td>
<td></td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07s1 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

2.3 Specific provision – Reference to a public land manager in an applied zone

Where Public Conservation and Resource Zone is applied in Table 1 and the land is in private ownership Melbourne Water or Wyndham City Council or Parks Victoria, as appropriate, is the public land manager for the purposes of the zone.

2.4 Specific provision – Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Residential Growth Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land.’
Specific provision – Use and development of future Council open space

A permit is not required to use or develop land shown in the Westbrook Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the Westbrook Precinct Structure Plan and with the prior written consent of the responsible authority.

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:</td>
</tr>
<tr>
<td></td>
<td>• 8,000 square metres for land shown as a local town centre in the incorporated Westbrook Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>• 500 square metres for land shown as a local convenience centre in the Westbrook Precinct Structure Plan.</td>
</tr>
<tr>
<td>Any use in an applied zone with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’</td>
<td>At the end of the condition add the words, ‘or any arterial road described in the Westbrook Precinct Structure Plan’.</td>
</tr>
<tr>
<td>Primary school</td>
<td>A permit is not required to use land for a primary or secondary school on land shown as Non Government School P-12 in the Westbrook Precinct Structure Plan.</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
</tbody>
</table>

Specific provisions - Department of State Development, Business and Innovation (DSDBI) (Earth Resources)

An application to develop land for a sensitive use within 480 metres of the property boundary of lands on Cobbleicks Ford Road, Wyndham Vale (described as Lot 1 on TP827630, Lot 1 on LP200501 and Lots 13 & 14 on LP221963) (‘the Mountain View Quarry’) where that property is subject to a Work Authority under the Mineral Resources (Sustainable Development) Act 1990, must be referred to the DSDBI.

The DSDBI may request a risk assessment prepared by a suitably experienced and qualified consultant that acknowledges the existing and likely future land use and provides sufficient confidence that a sensitive use can be safely developed within 480 metres of any quarrying activity at the Mountain View Quarry.

Specific provision – Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.
2.9 Specific provision – Buildings and works for a school
A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non government school unless exempt under Clauses 62.02-1 and 62.02-2.

2.10 Specific provision – Permit required for a fence on employment land fronting Ison Road
A permit is required to construct a fence on land in an applied Industrial 1 Zone that is fronting Ison Road.

3.0 Application requirements

3.1 All subdivision applications

Stormwater management
Any application for subdivision must be accompanied by a Stormwater Management Strategy that addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water.

Kangaroo management
An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction fo the responsible authority which includes:

- strategies to avoid land locking land adjacent to the subdivision that provides habitat to kangaroos; and
- management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:

- a copy of the approved Kangaroo Management Plan; and
- a ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

Traffic Impact Assessment
An application that proposes to create or change access to Ison Road or Westbrook must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit must be to the satisfaction of VicRoads.

3.2 Residential subdivision
In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories outlined in Table 2.
An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment
- The landscaping of any land
- The provision of public open space and land for any community facilities
- What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application to use land for a sensitive use or to subdivide land where the Residential Growth Zone is the applied zone must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person that provides the following information:

- A detailed assessment of potential contaminants on the relevant land.
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water.
- Recommended remediation actions for any potentially contaminated land.

### Development applications on land containing or abutting the Werribee River, its tributaries and environs

An application on land containing or abutting the Werribee River, its tributaries and environs must be accompanied by:

A plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
- Recreation facilities to be provided within public open space; and
- Stormwater facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation; and
- The width of the waterway corridor to the satisfaction of Melbourne Water and the responsible authority.

A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.

### Conditions and requirements for permits

Refer to the precinct structure plan applying to the land.
5.0

Advertising signs

The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

5.1

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.
- A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 10 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ10.

TRUGANINA PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 shows the future urban structure proposed in the Truganina Precinct Structure Plan. It is a reproduction of Plan 2 in the Truganina Precinct Structure Plan.

Map 1 to Schedule 10 to Clause 37.07
2.0
13/11/2014
C175

Use and development

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Map 1 and shown as UGZ10 on the planning scheme maps.

2.2
13/11/2014
C175

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td></td>
</tr>
<tr>
<td>Business &amp; residential</td>
<td></td>
</tr>
<tr>
<td>Office &amp; Light Industrial</td>
<td>Clause 32.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Office Park</td>
<td></td>
</tr>
<tr>
<td>General Light Industrial</td>
<td>Clause 33.03 – Industrial 3 Zone</td>
</tr>
<tr>
<td>Natural waterway as described on Plan 8 of the incorporated Truganina Precinct Structure Plan</td>
<td>Clause 36.03 – Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>Arterial road</td>
<td>Clause 36.04 – Road Zone – Category 1</td>
</tr>
<tr>
<td>Connector street</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
<tr>
<td>Land, or any lot wholly contained within, 100 metres distance from any part of a local town centre (where it would otherwise be classed as ‘all other land’)</td>
<td>Clause 32.04 – Mixed Use Zone 1</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

2.3
13/11/2014
C175

Specific provision - reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Residential Growth Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in an applied Road Zone’.

2.4
13/11/2014
C175

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Truganina Precinct Structure Plan as public open space or community facilities provided the use or development is carried out generally in accordance with the Truganina Precinct Structure Plan and with the prior written consent of Wyndham City Council.
Specific provisions – Use of land

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:</td>
</tr>
<tr>
<td>Commercial 1 Zone</td>
<td>- 55,000 square metres for land shown as a major town centre in the incorporated Truganina Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 0 square metres for land shown as business &amp; residential in the incorporated Truganina Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 8,000 square metres for land shown as Truganina local town centre in the incorporated Truganina Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 4,500 square metres for land shown as Robertson’s Farm local town centre in the incorporated Truganina Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 1,500 square metres for land shown as a local convenience centre in the incorporated Truganina Precinct Structure Plan.</td>
</tr>
<tr>
<td>Primary school</td>
<td>A permit is not required to use land for a Primary or Secondary school on land shown as Potential Non Government School.</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Dwelling in the Dry Creek and Skeleton</td>
<td>A permit is not required to use land for a dwelling.</td>
</tr>
<tr>
<td>Creek precincts on Figure 1 of the</td>
<td></td>
</tr>
<tr>
<td>Truganina Precinct Structure Plan</td>
<td></td>
</tr>
</tbody>
</table>

Specific provisions – Construction of one dwelling on a lot less than 300 square metres in area

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

Specific provisions – Truganina Major Town Centre Urban Design Framework

Except with the consent of the responsible authority and the Growth Areas Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as the Truganina Major Town Centre until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority and the Growth Areas Authority. An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land. An application for use and/or development on land shown as ‘Area subject to UDF’ on Plan 2 of the incorporated Truganina Precinct Structure Plan must be consistent with any urban design framework approved under this schedule. A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives for the Major Town Centre as set out in the Truganina Precinct Structure Plan. The responsible authority may allow an urban design framework to be prepared in stages.
The Urban Design Framework may be amended to the satisfaction of the responsible authority and the Growth Areas Authority.

2.8 Specific provision – Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non government school unless exempt under Clauses 62.02-1 and 62.02-2.

2.9 Specific provision – Referral of applications – Truganina Major Town Centre

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Truganina Major Town Centre and within the local town centres must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Growth Areas Authority.

3.0 Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1 Subdivision - residential development

In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories and colours outlined in Table 2.
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

3.2 Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water;
- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what if any infrastructure set out in the Wyndham North Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of Wyndham City Council;
- the provision of public open space and land for any community facilities;
- any other matter relevant to the provision of public infrastructure required by the responsible authority.
Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or Wyndham City Council, as required.

Environmental Site Assessment

An application to subdivide land, use or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of ‘Desktop Environmental, Hydrogeological and Geotechnical Study: Tarneit Precinct Structure Plan Area 90 Growth Areas Authority’ (Aurecon, August 2011) and provides information including:

- Further detailed assessment of potential contaminants on the relevant land.
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water.
- Recommended remediation actions for any potentially contaminated land.

Dry Creek and Skeleton Creek Corridor

A planning permit application on land containing or abutting Skeleton and Dry Creeks, their tributaries and environs must be accompanied by:

- A plan that shows:
  - Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
  - Recreation facilities to be provided within public open space; and
  - Storm water facilities that are compliant with the relevant approved drainage strategy; and
  - The retention and removal of vegetation and any re-vegetation; and
- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.

Conditions and requirements for permits

Refer to the precinct structure plan applying to the land.

Exemption from notice and review not to apply to certain applications

In accordance with section 52(1)(c) of the Act, notice of an application to use or develop land for a sensitive use within 500 metres of the broiler farm at 895 Derrimut Road, Tarneit must be given to the owner/operator of the broiler farm at 895 Derrimut Road, Tarneit.
Advertising signs

The advertising sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- the advertisement area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- the sign is not animated, scrolling, electronic or internally illuminated sign;
- the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- the sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

Decision guidelines

Before deciding on an application to use land for a shop in a town centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within Wyndham North.
SCHEDULE 11 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ11.

RIVERDALE PRECINCT STRUCTURE PLAN

The Plan

Map 1 shows the future urban structure proposed in the Riverdale Precinct Structure Plan. It is a reproduction of Plan 2 in the Riverdale Precinct Structure Plan.

Map 1 to Schedule 11 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Map 1 and shown as UGZ11 on the planning scheme maps.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td></td>
</tr>
<tr>
<td>Land, or any lot wholly contained within, 200 metres distance from a major town centre or 100 metres distance from a local town centre (where it would otherwise be classes as ‘all other land’)</td>
<td>Clause 32.04 – Mixed Use Zone 1</td>
</tr>
<tr>
<td>Arterial road</td>
<td>Clause 36.04 – Road Zone - Category 1</td>
</tr>
<tr>
<td>Connector street</td>
<td>Clause 36.04 – Road Zone - Category 2</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

Specific provision - Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

*Note: e.g. The Residential Growth Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Riverdale Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the Riverdale Precinct Structure Plan and with the prior written consent of Wyndham City Council.

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| Shop where the applied zone is Commercial 1 Zone | A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:
Use | Requirement
--- | ---
- 25,000 square metres for land shown as a major town centre in the incorporated Riverdale Precinct Structure Plan.
- 10,000 square metres for land shown as the Davis Road South local town centre in the incorporated Riverdale Precinct Structure Plan.
- 8,000 square metres for land shown as the Davis Road North local town centre in the incorporated Riverdale Precinct Structure Plan.
- 1,500 square metres for land shown as a local convenience centre in the incorporated Riverdale Precinct Structure Plan.

Emergency Services Facility | A permit is not required to use land for an Emergency Services Facility on land shown as Possible Emergency Services Hub.

### 2.6

#### Specific provisions – Construction of one dwelling on a lot less than 300 square metres in area

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

### 2.7

#### Specific provisions – Riverdale Major Town Centre Urban Design Framework

Except with the consent of the responsible authority and the Growth Areas Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as the Riverdale Major Town Centre until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority and the Growth Areas Authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as the Riverdale Major Town Centre must be consistent with any urban design framework approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives for the Major Town Centre as set out in the Riverdale Precinct Structure Plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the responsible authority and the Growth Areas Authority.

### 2.8

#### Specific provisions – Referral of applications – Riverdale Major Town Centre

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Riverdale Major Town Centre and within the local town centres must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Growth Areas Authority.

### 3.0

#### Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.
3.1 Residential Subdivision

In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories and colours outlined in Table 2.
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

3.2 Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water;
- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what if any infrastructure set out in the Wyndham North Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of Wyndham City Council;
- the provision of public open space and land for any community facilities;
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.3 Environmental Site Assessment

An application to use land for a sensitive use or to subdivide land where the Residential Growth Zone is applied must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of ‘Desktop Environmental, Hydrogeological and Geotechnical Study: Tarneit Precinct Structure Plan Area 91 Growth Areas Authority’ (Aurecon, August 2011) and provides information including:

- Further detailed assessment of potential contaminants on the relevant land.
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water.
- Recommended remediation actions for any potentially contaminated land.
Traffic Impact Assessment
An application that proposes to create or change access to Sewells Road, Armstrong Road, Leakes Road, Sayers Road, Davis Road or Hogans Road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or Wyndham City Council, as required.

Werribee River and Davis Creek corridors
An application on land containing or abutting the Werribee River or its tributaries and environs must be accompanied by:
A plan that shows:
- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
- Recreation facilities to be provided within public open space; and
- Storm water facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation.
and
- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.

Kangaroo Management Plan
Any application for subdivision must be accompanied by a Kangaroo Management Plan which includes:
- strategies to avoid land locking land adjacent to the subdivision that provides habitat to kangaroos; and
- management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:
- a copy of the approved Kangaroo Management Plan; and
- a 'design/management response' statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

Conditions and requirements
Refer to the precinct structure plan applying to the land.

Advertising signs
The advertising sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

Land and home sales signs
Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:
the advertisement area for each sign does not exceed 10 square metres;
only one sign is displayed per road frontage. Where the property has a road frontage of more
than 150 metres multiple signs may be erected provided there is a minimum of 150 metres
distance between each sign, with a total of not more than 4 signs per frontage;
the sign is not animated, scrolling, electronic or internally illuminated sign;
the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
the sign is setback a minimum of 750mm from the property boundary.
A permit may be granted to display a sign promoting the sale of land or homes on the land (or on
adjoining land in the same ownership) with an area greater than 10 square metres.

6.0

Decision guidelines
Before deciding on an application to use land for a shop in a town centre, in addition to the decision
guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:
The local catchment and PSP catchment demand for the additional floor area; and
The effect on existing and future town centres within Wyndham North.
SCHEDULE 13 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ13.

TARNEIT NORTH PRECINCT STRUCTURE PLAN

The Plan

Map 1 shows the future urban structure proposed in the Tarneit North Precinct Structure Plan. It is a reproduction of Plan 2 in the Tarneit North Precinct Structure Plan.

Map 1 to Schedule 13 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Map 1 and shown as UGZ13 on the planning scheme maps.

Note: Some land shown in Plan 1 is not zoned UGZ and the provisions of this schedule do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (refer map 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Convenience Centre</td>
<td></td>
</tr>
<tr>
<td>Office &amp; Light Industrial</td>
<td>Clause 33.03 – Industrial 3 Zone</td>
</tr>
<tr>
<td>Land, or any lot wholly contained within, 100 metres distance from a town centre</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Mixed Use Precinct</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Arterial road (any type)</td>
<td>Clause 36.04 – Road Zone – Category 1</td>
</tr>
<tr>
<td>Connector street (any type)</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
<tr>
<td>Waterway corridor as described on Plan 8 of the incorporated Tarneit North Precinct Structure Plan</td>
<td>Clause 36.03 – Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Residential Growth Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Tarneit North Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the Tarneit North Precinct Structure Plan and with the prior written consent of Wyndham City Council.
Specific provisions – Use of land

### Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| Shop where the applied zone is Commercial 1 Zone | A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:  
  - 6,000 square metres for land shown as Kenning local town centre in the incorporated Tarneit North Precinct Structure Plan.  
  - 10,000 square metres for land shown as Tarneit West local town centre in the incorporated Tarneit North Precinct Structure Plan.  
  - 1,500 square meters for land shown as a convenience centre in the Tarneit North Precinct Structure Plan. |
| Shop where the applied zone is Mixed Use Zone | A permit must not be granted to use land for a shop where the leasable floor area of an individual shop premises is greater than 600 square metres. |
| Office where the applied zone is Industrial 3 Zone | Office is a Section 1 use.                                                                                                                  |
| Primary or Secondary School              | A permit is not required to use land for a Primary or Secondary school on land shown as Potential Non-Government School.                   |

Specific provision – Construction of one dwelling on a lot less than 300 square metres in area

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

Specific provisions – Urban Design Framework – 605-635 Derrimut Road

Except with the consent of the responsible authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land at 605-635 Derrimut Road, Tarneit until an urban design framework for the area has been prepared to the satisfaction of the responsible authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as ‘subject to urban design framework (UDF)’ on Plan 2 of the incorporated Tarneit North Precinct Structure Plan must be consistent with any urban design framework approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives in the Tarneit North Precinct Structure Plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the responsible authority.
2.8

Specific provisions – Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non government school unless exempt under Clauses 62.02-1 and 62.02-2.

3.0

Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1

Subdivision - residential development

In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories outlined in Table 1 & 2 of the Tarneit North PSP.
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

3.2

Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water;
- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what if any infrastructure set out in the Wyndham North Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of Wyndham City Council;
- the provision of public open space and land for any community facilities;
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.3

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or Wyndham City Council, as required.

3.4

Environmental Site Assessment

An application to subdivide land, use or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the
responsible authority which takes account of ‘Wyndham North Precinct Structure Plan – Environmental, Hydrological & Geotechnical Assessment Precinct Structure Plan Area 1089 – Growth Areas Authority’ (Meinhardt, May 2012) and provides information including:

- Further detailed assessment of potential contaminants on the relevant land.
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water.
- Recommended remediation actions for any potentially contaminated land.

3.5
13/11/2014
C188

Dry Creek

An application on land containing or abutting the Dry Creek Corridor, its tributaries and environs must be accompanied by:

A plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
- Recreation facilities to be provided within public open space; and
- Storm water facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation; and
- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways

3.6
13/11/2014
C188

Kangaroo Management Plan

Any application for subdivision must be accompanied by a Kangaroo Management Plan which includes:

- strategies to avoid land locking land adjacent to the subdivision that provides habitat to kangaroos; and
- management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:

- a copy of the approved Kangaroo Management Plan; and
- a 'design/management response' statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

4.0
13/11/2014
C188

Conditions and requirements for permits

Refer to the precinct structure plan applying to the land.
Advertising signs
The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

Land and home sales signs
Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- the advertisement area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- the sign is not animated, scrolling, electronic or internally illuminated sign;
- the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- the sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

Decision guidelines
Before deciding on an application to use land for a shop in a town centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within Wyndham North.
SCHEDULE 14 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ14.

EAST WERRIBEE EMPLOYMENT PRECINCT

The plan

Map 1 shows the future urban structure proposed for the East Werribee Employment Precinct Structure Plan. It is a reproduction of Plan 2 in the East Werribee Employment Precinct Structure Plan.

Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown on Maps 1 and 2 and shown as UGZ14 on the planning scheme maps.

The land comprises the areas referred to in the Precinct Structure Plan and depicted on Map 2:

Note: If land shown on Map 2 is not zoned UGZ, the provisions of this zone do not apply.
Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zones

<table>
<thead>
<tr>
<th>Generally in accordance with the area nominated on map 2</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Hub</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Convenience Centre (Wattle Village Community )</td>
<td></td>
</tr>
<tr>
<td>East Werribee Town Centre</td>
<td></td>
</tr>
<tr>
<td>Enterprise Hub</td>
<td>Clause 33.01 – Industrial 1 Zone</td>
</tr>
<tr>
<td>Health and Learning Hub</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Interchange Business Hub</td>
<td>Clause 33.01 – Industrial 1 Zone</td>
</tr>
<tr>
<td>Lakeside Community</td>
<td>Clause 32.07 – Residential Growth Zone</td>
</tr>
<tr>
<td>Local Town Centre (Point Cook South West Community)</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
</tbody>
</table>
2.3 17/10/2013 C179

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the East Werribee Employment Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the East Werribee Employment Precinct Structure Plan and with the prior written consent of Wyndham City Council.

2.4 17/10/2013 C179

Specific provisions – Use and development by the public land manager

A permit is not required to use or develop public land by the relevant public land manager provided the use or development is carried out generally in accordance with the East Werribee Employment Precinct Structure Plan and with the prior written consent of the Growth Areas Authority.

2.5 17/10/2013 C179

Specific provisions – Use of land in the General Residential Zone

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary school</td>
<td>A permit is not required to use land for a Primary school on land shown as Potential Non Government Primary School.</td>
</tr>
<tr>
<td>Any use in an applied zone with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.'</td>
<td>At the end of the condition add the words, 'or any arterial road described in the East Werribee Employment Precinct Structure Plan'.</td>
</tr>
</tbody>
</table>

2.6 17/10/2013 C179

Specific provisions – Use of land in the Residential Growth Zone

Table 3: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of worship</td>
<td>A permit is required to use land for a Place of worship.</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>A permit is required to use land for a Residential aged care facility.</td>
</tr>
<tr>
<td>Any use in an applied zone with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.'</td>
<td>At the end of the condition add the words, 'or any arterial road described in the East Werribee Employment Precinct Structure Plan'.</td>
</tr>
</tbody>
</table>

2.7 17/10/2013 C179

Specific provisions – Use of land in the Commercial 1 Zone

Table 4: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child care centre</td>
<td>A permit is required to use land for a Child care centre in the Health and Learning Hub.</td>
</tr>
</tbody>
</table>
A permit is required to use land for a Corrective institution.

A permit is required to use land for a Major sport and recreation facility.

A permit is required to use land for a Primary school or Secondary school.

A permit is required to use land for a Shop in the Health and Learning Hub (this condition does not apply to land shown as Local Town Centre or Hoppers Crossing Town Centre Integration Area).

A permit is required to use land for a Shop in the Commercial Hub.

A permit is required to use land for a Shop if the combined leasable floor area of all shops exceeds the following area for the relevant centre as described in the East Werribee Precinct Structure Plan:

- 5000 square metres for land shown as Local Town Centre in the Health and Learning Hub
- 1500 square metres for land shown as Convenience Centre in Wattle Village Community
- 8000 square metres for land shown as Local Town Centre in Point Cook South West Village.

A permit is required to use land for a Retail premises (other than Shop) in the Health and Learning Hub and Commercial Hub.

At the end of the condition add the words, ‘or any arterial road described in the East Werribee Employment Precinct Structure Plan’.

Any use in an applied zone with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’

At the end of the condition add the words, ‘or any arterial road described in the East Werribee Employment Precinct Structure Plan’.

Specific provisions – Use of land in the Industrial 1 Zone

Table 5: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service station</td>
<td>A permit is required to use land for a Service station.</td>
</tr>
<tr>
<td>Shipping container storage</td>
<td>A permit is required to use land for Shipping container storage.</td>
</tr>
</tbody>
</table>

At the end of the condition add the words, ‘or any arterial road described in the East Werribee Employment Precinct Structure Plan’.

Specific Provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.
Specific provisions – Referral of applications to Public Transport Victoria

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the *East Werribee Employment Precinct Structure Plan* where the following requirements are met:

- a road nominated on Plan 10 – Active and Public Transport Networks in the *East Werribee Employment Precinct Structure Plan* as a potential bus route is constructed (including any partial construction where relevant) in accordance with its corresponding cross section in the *East Werribee Employment Precinct Structure Plan* and in accordance with the *Public Transport Guidelines for Land Use and Development*; and

- any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the *Public Transport Guidelines for Land Use and Development*; and

- unless otherwise agreed in writing with the Director of Public Transport, prior to the issue of a Statement of Compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder, as follows:
  - generally in the location identified by the Director of Public Transport;
  - in accordance with the *Public Transport Guidelines for Land Use and Development* with a concrete hard stand area, and in activity centres a shelter must also be constructed;
  - be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002*; and
  - be provided with direct and safe pedestrian access to a pedestrian path to the satisfaction of the Director of Public Transport.

The responsible authority may address any of the above matters through planning permit conditions.

Specific provisions - development plan

No permit is required to construct a building or to construct or carry out works in the Health and Learning Hub, Commercial Hub, Interchange Business Hub, East Werribee Town Centre, Enterprise Hub, Lakeside Community or within the Convenience Centre in the Wattle Village Community or Local Town Centre in Point Cook South West Community if the buildings or works are constructed in accordance with an approved development plan.

Specific provisions - Primary school

A permit is required to construct a building or construct or carry out works associated with a Primary School on land shown as Potential Non Government Primary School unless exempt under Clauses 62.02-1 and 62.02-2.

Application requirements for planning permits

If in the opinion of the responsible authority a requirement listed at 3.1 – 3.3 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision – residential development in Lakeside, Wattle Village and Point Cook South West Communities

An application for a residential subdivision must be accompanied by:

- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
Use or develop land for a Local Town Centre or Convenience Centre

An application to use or subdivide land, construct a building or construct or carry out works for a Local Town Centre or Convenience Centre must be generally in accordance with the role and function of the centre set out in the East Werribee Employment Precinct Structure Plan.

An application to use or subdivide land, construct a building or construct or carry out works for a Local Town Centre or Convenience Centre must also be accompanied by following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
  - Address the relevant town centre design requirements and guidelines contained within the East Werribee Employment Precinct Structure Plan;
  - Address any relevant design guidelines prepared by the Victorian Government or the Wyndham City Council;
  - Demonstrate how the proposal relates to existing or approved development in the area;
  - Demonstrate site responsive architecture and urban design;
  - Demonstrate how the proposal will contribute to the urban character of the centre;
  - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as the Department of Transport, Planning and Local Infrastructure;
  - Include environmental sustainability initiatives including integrated water management and energy conservation;
  - Address the relevant provisions in the planning scheme for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
  - Address the relevant provisions in the planning scheme for any proposed advertising signs;
  - Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
  - Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).

- An overall landscape concept/master plan for the centre including a design of the town square/public space.

Public infrastructure plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water
- what land may be affected or required for the provision of infrastructure works
- the provision, staging and timing of stormwater drainage works
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment
- the landscaping of any land
what, if any, infrastructure set out in the East Werribee Employment Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of the Collecting Agency

- the provision of public open space and land for any community facilities.

Any other matter relevant to the provision of public infrastructure required by the responsible authority or Collecting Agency

### 3.4 Shell pipelines

Applications for use or development in the vicinity of the Shell high pressure oil pipelines must be accompanied by a response to the Shell documents: *Conditions for Works Near Shell & WAG High Pressure Pipelines In Victoria and Land Use Planning, Development & Subdivision Near Shell &WAG High Pressure Pipelines In Victoria.*

### 3.5 APA GasNet pipelines

Applications for use or development in the vicinity of the APA GasNet high pressure pipeline must be accompanied by a response to the document: *Conditions for Works Near APA Group Gas Transmission Pipelines.*

### 4.0 Development plan:

**Health and Learning Hub, Commercial Hub, Interchange Business Hub, East Werribee Town Centre, Enterprise Hub, Lakeside Community, Convenience Centre in the Wattle Village Community or Local Town Centre in Point Cook South West Community**

A development plan for each hub or centre, or part of a hub or centre, including an amendment to a development plan, may be submitted to the responsible authority for approval and may be approved with or without conditions.

A submitted development plan must be to the satisfaction of the responsible authority, be generally in accordance with the *East Werribee Employment Precinct Structure Plan*, and must include as appropriate:

- For residential development of four or more storeys - a site analysis and design response, including the boundaries and dimensions of the site, adjoining buildings and roads, generally in accordance with the provisions of Clause 52.35.

- A detailed assessment against the Vision, objectives and requirements contained within the *East Werribee Employment Precinct Structure Plan*. The assessment must include a section explaining how the development addresses the approved Design Requirements and Guidelines for the relevant hub or centre.

- For development within a Local Town Centre or Convenience Centre, a design response report addressing the relevant matters in accordance with sub-clause 3.2 of this schedule.

- A Public Infrastructure Plan in accordance with sub-clause 3.3 of this schedule.

- For development proposals in the vicinity of the Shell high pressure oil pipelines, a report in accordance with sub-clause 3.4 of this schedule.

- For development proposals in the vicinity of the APA GasNet high pressure gas pipelines, a report in accordance with sub-clause 3.5 of this schedule.

- The location and height of all buildings and works, including the relevant ground levels and building heights to Australian Height Datum (AHD).

- Detailed elevations and sections drawn to scale including heights to Australian Height Datum (AHD).
A coloured set of elevations and or perspectives including a samples board detailing the colours and materials to be used.

- The proposed uses for each building.
- The number and layout of all car parking spaces and access lanes.
- The number and location of all bicycle parking and associated facilities.
- The location of all loading areas and access to and from these areas.
- Detailed engineering plans of all proposed public works prior to the commencement of works.
- The location of all vehicle, bicycle and pedestrian accessways.
- The location and details of all open space, including areas available to the public.

- An operations plan including the following, as appropriate:
  - General amenity provisions.
  - Proposals for the permanent management and upkeep of public areas.
  - The maintenance of undeveloped land on the site.
  - The operation of waste collection.
  - The operation and management of car parking spaces.
  - Litter management.

- A landscape plan which includes:
  - All existing vegetation to be retained or removed.
  - The location, quantity and size at maturity of all proposed plants - as far as possible this should include indigenous species.
  - The botanical name of all new plantings.
  - Details of all proposed design features such as paths, paving and fencing.
  - Management requirements for significant vegetation during the construction phase, watering and maintenance methods for new vegetation.
  - A schedule of park furniture, public lighting and embellishments.

- A wind assessment for new developments of four storeys or more, excluding a basement.
- Details of external lighting treatment.
- The indicative location, type and design of proposed signs.

Development must be carried out in accordance with any approved development plan.

**Consideration of development plan**

Further information must be required within 14 days after the plan is received by the responsible authority.

The responsible authority must make a decision on the plan or amendment within 42 days of the receipt of the application, or within 42 days of the receipt of further information if further information is required.

The responsible authority must consider the views of the Wyndham City Council prior to making a decision on the plan.
Specific provisions - Use or develop land for a sensitive purpose – Environmental Site Assessment

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, a Phase 2 Environmental Site Assessment, including soil and groundwater investigation as per the recommendations of the Phase 1 Environmental Site Assessment – Werribee Employment Precinct (22 March 2009) prepared by Compass Environmental, must be carried out to the satisfaction of the responsible authority.

Upon receipt of the Phase 2 Environmental Site Assessment the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The use or construction or carrying out of buildings and works must not commence until the responsible authority is satisfied that the land is suitable for the intended use.

This requirement does not apply to land shown as ‘Hoppers Crossing Town Centre Integration Area’ shown on the future urban structure at Map 1 and in the East Werribee Employment Precinct Structure Plan.

Specific provisions – Construction management plan

Prior to the commencement of any works, including demolition, a construction management plan must be approved by and then implemented to the satisfaction of the responsible authority. The plan must provide for any relevant matter to the satisfaction of the responsible authority and may include the following details as appropriate:

- containment of dust, dirt and mud within the site and method and frequency of clean up;
- procedures in the event of build up of matter outside the site;
- methods for management of noise and general nuisance;
- site security;
- waste and storm water treatment;
- construction program;
- preferred routes for trucks delivering to the site;
- delivery and unloading points and expected frequency;
- an emergency contact that is available for 24 hours per day for residents and the responsible authority in the event of relevant queries or problems experienced; and
- traffic management measures to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

Any construction management plan relating to development within, crossing or in close proximity to the APA GasNet high pressure gas pipeline easement must be to the satisfaction of APA GasNet and prohibit the use of rippers or horizontal directional drills within or crossing the APA GasNet pipeline easement.

The construction management plan may be amended to the satisfaction of the responsible authority.

Specific provisions – Employment Design Guidelines Area

Except with the consent of the responsible authority, a permit or development plan must not be granted or approved to use or subdivide land, or construct a building and carry out works on land within the “Employment Design Guidelines Area” shown on Plan 5 - Design Guidelines of the East Werribee Employment Precinct Structure Plan until Design Requirements and Guidelines
Design Requirements and Guidelines approved under this schedule must generally comply with the
East Werribee Employment Precinct Structure Plan.

An application for use and/or development on land shown within “Employment Design Guidelines
Area” shown on Plan 5 - Design Guidelines of the East Werribee Employment Precinct Structure
Plan must be consistent with any Design Requirements and Guidelines approved under this schedule
for the relevant hub, community, convenience centre, local town centre or convenience centre
within which the development proposal is located.

A permit may be granted to use or subdivide land, or a permit or development plan granted to
construct a building or construct and carry out works prior to the approval of Design Requirements
and Guidelines if, in the opinion of the responsible authority, the permit or development plan is
consistent with the requirements for the Design Requirements and Guidelines and the permit or
development plan implements the objectives for the relevant hub, community, convenience centre,
local town centre or convenience centre as set out in the East Werribee Employment Precinct
Structure Plan.

The responsible authority may allow Design Requirements and Guidelines to be prepared in stages.
The Design Requirements and Guidelines may be amended to the satisfaction of the responsible
authority.

8.0
17/10/2013
C179

Specific provisions – Referral of applications
Any application to subdivide land must be referred to the Growth Areas Authority in accordance
with section 55 of the Act.

9.0
17/10/2013
C179

Advertising signs
The following advertising sign categories in this scheme apply by reference to Table 1 of this
Schedule.

Table 6: Advertising signs

<table>
<thead>
<tr>
<th>Applied zone</th>
<th>Advertising sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial 1 Zone</td>
<td>Category 1</td>
</tr>
<tr>
<td>General Residential Zone</td>
<td>Category 3</td>
</tr>
<tr>
<td>Industrial 1 Zone</td>
<td>Category 2</td>
</tr>
<tr>
<td>Residential Growth Zone</td>
<td>Category 3</td>
</tr>
</tbody>
</table>

9.1
17/10/2013
C179

Land and home sales signs
Despite the provisions of Clause 52.05, signs promoting the sale of commercial, industrial or
residential land, or dwellings on the land (or on adjoining land in the same ownership) may be
displayed without a permit provided:

- the advertisement area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more
  than 150 metres multiple signs may be erected provided there is a minimum of 150 metres
distance between each sign, with a total of not more than 4 signs per frontage;
- the sign is not an animated, scrolling, electronic or internally illuminated sign;
- the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- the sign is set back a minimum of 750mm from the property boundary
SCHEDULE 15 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ15.

LINCOLN HEATH SOUTH PRECINCT STRUCTURE PLAN

The plan

Map 1 shows the future urban structure proposed for the Lincoln Heath South Precinct Structure Plan. It is a reproduction of Plan 2 in the Lincoln Heath South Precinct Structure Plan, September 2015.

Map 1 to Schedule 15 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct boundary’ on Map 1 and shown as UGZ15 on the planning scheme maps.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zones

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connector street (any type)</td>
<td>Clause 36.04 – Road Zone Category 2</td>
</tr>
<tr>
<td>Seasonal herbaceous wetlands and environmental based recreation</td>
<td>Clause 36.03 – Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The General Residential Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Lincoln Heath South Precinct Structure Plan as a local park provided the use or development is carried out generally in accordance with the Lincoln Heath South Precinct Structure Plan and with the prior written consent of Wyndham City Council.

Specific Provisions – Construction of one dwelling on a lot less than 300 square metres in area

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

Specific provisions – Vegetation Protection

A permit is required to remove, destroy or lop any vegetation identified as ‘native vegetation to be retained on Plan 3 – Native Vegetation and Open Space plan in the Lincoln Heath South Precinct Structure Plan.

Application requirements for planning permits

If in the opinion of the responsible authority a requirement listed at 3.1 – 3.3 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.
Subdivision – residential development

In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories outlined in Table 1 of the Lincoln Heath South PSP.
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.
- The 13-20 ANEF (Australian Noise Exposure Forecast) contours as shown in the 2007 ANEF Contours RAAF Base Williams Point Cook Plan or any subsequent aircraft noise investigation undertaken in accordance with Australian Standard AS2021-2000 Acoustics – Aircraft noise intrusion – Building siting and construction (or later version).

Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water;
- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- if any infrastructure is sought is to be provided as "works in lieu" for development contributions to be made in relation to the land under any incorporated Development Contributions Plan applying to the land or any relevant agreement with Wyndham City Council;
- the provision of public open space and land for any community facilities;
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

Native vegetation assessment

An application to remove or destroy native vegetation must be accompanied by a report prepared by a qualified arborist that includes a detailed description of the location, health, structural quality and expected longevity of all native vegetation on the property.

Conditions and requirements for permits

Conditions for subdivision permits that allow the creation of a lot less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:
Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme; and

The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

### Design requirements for lots in the 13-20 ANEF

Any permit for subdivision where land is located within the 13-20 ANEF must include the following condition:

- Prior to the Certification of the Plan of Subdivision, a Memorandum of Common Provisions must be placed on the Plan of Subdivision for all lots within the 13-20 ANEF to the satisfaction of the responsible authority. The restriction must include reference to design guidelines which address:
  - Information to future landowners that the site is located in proximity to the Point Cook RAAF air base and may be affected by associated noise;
  - All external lighting must not be directed above the horizontal plane;
  - All external roof cladding and roof material must be of low reflectance; and
  - All buildings and development must be not more than 15 metres in height above natural ground level.

### Open Space Conditions

Any permit for subdivision, buildings or works permits where land is required for public open space must contain the following condition:

- Land required for public open space as a local or district park, as set out in the Lincoln Heath South Structure Plan or in any incorporated Development Contributions Plan applying to the land must be transferred to or vested in Council at no cost to Council unless the land is funded by any incorporated Development Contributions Plan applying to the land.

### Biodiversity Conditions

A permit granted to subdivide land where construction works are required to carry out the subdivision, or a permit to construct a building or carry out works, where the Lincoln Heath South Precinct Structure Plan identifies the land as including a seasonal herbaceous wetlands or a patch of native vegetation must ensure that:

- Before the start of construction or carrying out works in or around a patch of native vegetation, the developer of the land must erect a vegetation protection fence that is:
  - Highly visible;
  - At least two metres in height;
  - Constructed to withstand knocks from construction vehicles;
  - Remains in place for the whole construction period;
  - Located a minimum distance of two metres from the patch of native vegetation being protected;
  - Not be erected if it presents a risk to any vegetation within seasonal herbaceous wetlands
  - Erected under the supervision of a suitable qualified ecologist.
4.5
Public Transport

Unless otherwise agreed by Public Transport Victoria, prior to the issue of the Statement of Compliance for any subdivision stage which contains any portion of a road nominated as a ‘Connector Street (bus capable)’ on Plan 4 – Transport and Movement on page 14 of the Lincoln Heath South Precinct Structure Plan, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- In accordance with the Department of Transport Public Transport Guidelines for Land Use and Development;
- Comply with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
- At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

4.6
Road Network

Any permit for subdivision or building and works must contain the following condition:

- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in Council at no cost to Council unless funded by any incorporated Development Contributions Plan applying to the land.

4.7
Public Infrastructure Plan (PIP)

Any permit for subdivision must contain the following condition:

- Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under Section 173 of the Planning and Environment Act 1987 which provides for:
  - The implementation of the Public Infrastructure Plan approved under this permit.
  - The equalisation of open space having regard to the areas set aside in a plan of subdivision and the amount specified in the schedule to Clause 52.01.
  - The timing of any payments to be made to a person in respect of any infrastructure project having regard to the availability of funds in the DCP or the public open space account, and with any priorities in the DCP.

5.0
Advertising signs

The advertising sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

5.1
Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- the advertisement area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- the sign is not animated, scrolling, electronic or internally illuminated;
• the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
• the sign is a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
**ACTIVITY CENTRE ZONE**

Shown on the planning scheme map as **ACZ** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage a mixture of uses and the intensive development of the activity centre:

- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.

To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

To facilitate use and development of land in accordance with the Development Framework for the activity centre.

**Operation**

A schedule to this zone comprises the Development Framework for the activity centre.

A schedule to this zone must contain:

- A framework plan for the activity centre.
- A statement of the activity centre land use and development objectives to be achieved.

A schedule to this zone may contain:

- Centre-wide provisions.
- Precinct provisions.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>
Use of land

Any requirement in the schedule to this zone must be met.

Subdivision

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
Class of application

Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:

- Within 30 metres of land (not a road) which is in a residential zone.
- Used for a purpose listed in the table to Clause 53.10.

Information requirements and decision guidelines

Clause 59.04

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.

Design and development

A schedule to this zone may include requirements relating to:

- Building setbacks.
- Building height.
- Building materials.
- Access.
- Landscaping.
- Public realm.
- Any other requirements or guidelines relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
  - The siting and use of buildings.
  - Areas not required for immediate use.
  - Adjacent buildings and uses.
  - The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access, glare, air-borne emissions and emissions to land and water.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

- Any other information specified in the schedule to this zone.

**Subdivision**

An application to subdivide land must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The pattern of subdivision of the surrounding area.
  - Easements.
  - Location of drainage and other utilities.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Any natural features.

- Any other information specified in the schedule to this zone.

**Buildings and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - The internal layout and use of the proposed development.
  - All access and pedestrian areas.
  - All driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.

- Elevation plans drawn to scale and dimensioned which show:
  - The building form and scale.
  - Setbacks to property boundaries.
- Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).

- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.

- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.

- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.

- An assessment of the characteristics of the area including:
  - Any environmental features such as vegetation, topography and significant views.
  - Street design and landscape.
  - The pattern of development.
  - Building form, scale and rhythm.
  - Architectural style, building details and materials.
  - Connection to the public realm.
  - Any significant noise, odour, fume and vibration sources to and/or from the development.

- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

- Construction details of all drainage works, driveways, vehicle parking and loading areas.

- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.

- Any other information specified in the schedule to this zone.

### 37.08-8

**Exemption from notice and review**

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless the schedule to this zone specifies otherwise.

A schedule to this zone may specify an application in respect of land in an Activity Centre Zone under any other specified provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### 37.08-9

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**


- The development framework plan set out in the schedule to this zone.

- The land use and development objectives set out in the schedule to this zone.
The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
- existing uses are not compromised by a new development, or
- a new development is designed to address amenity impacts from existing uses.

- Any requirements set out in the schedule to this zone.
- Any other decision guidelines specified in the schedule to this zone.

**Access**
- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

**Use**
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.

**Subdivision**
- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

**Design and built form**
- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The interface with adjoining zones, especially the relationship with residential zones.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- The storage of rubbish and materials for recycling.

**Transitional provisions**
The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:
- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.
Signs

Sign requirements are at Clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.
WYNDHAM PLANNING SCHEME

SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ1.

WERRIBEE PRINCIPAL ACTIVITY CENTRE

Werribee City Centre Framework Plan

Land use and development objectives to be achieved

- To facilitate the growth of the Werribee City Centre as a key regional commercial, retail, recreational and cultural focal point for Melbourne’s west, and as a location for higher density residential development.

- To integrate the Werribee City Centre with its central river and park environs.

- To integrate the Werribee City Centre with the East Werribee Employment Precinct.

- To achieve the objectives of the Werribee City Centre Structure Plan (2011).

- To intensify land use in the Werribee City Centre and encourage a diverse range of land uses and attractions, including accommodation, office, retail, food and drink, transport, civic and community uses.

- To intensify street level activity by:
  - Encouraging a mixture of land uses that generate high levels of activity to locate at ground level along street frontages,
- Encouraging residential, commercial and other land uses that generate low levels of pedestrian activity to locate either above ground level or behind street-facing active land uses, and
- Integrating public and private land uses.

**Built Form objectives**
- To encourage exemplary architecture and innovative building design.
- To achieve engaging, high quality, accessible and environmentally sustainable development.
- To achieve a built form and urban fabric which features ‘fine-grained’ elements, such as narrow ground level shop-fronts, articulated facades, and regular openings/entrances to the street.
- To create a comfortable, accessible, attractive, human-scale built environment at street level.
- To provide a generous and continuous overhead cover to footpaths along active street frontages.
- To ensure that new development provides passive surveillance from upper levels, and addresses public spaces including the Werribee River and Wyndham Park.
- To encourage tall buildings on key/gateway sites to improve legibility of the urban form, and ensure that new built form on these sites is of a high architectural standard.
- To encourage higher density development.
- To achieve an appropriate built-form transition to any adjoining residential zoned areas through the height, setback, scale, massing and detail of new development.

**Movement and Access objectives**
- To achieve a high level of accessibility to and within the Werribee City Centre, for people of all abilities, and ensure that all new development complies with access and mobility design standards.
- To provide easy to follow, interconnected and coordinated walking and cycling routes to and within the Werribee City Centre.
- To prioritise pedestrian movement through the street network, and encourage and support it with a continuous path of travel, pedestrian crossings, way-finding signage, directional aids, public seating and public lighting.
- To capitalise upon the Werribee City Centre’s public transport infrastructure and provide facilities which improve access to public transport.
- To create a high quality public transport interchange that integrates with the centre and reinforces Werribee Station as a major multi-modal transport node.
- To provide well located and accessible parking spaces throughout the Werribee City Centre, and consolidate off-street public car parking into large, well located, easily accessible and locatable facilities.
- To protect opportunities for future grade separation of the Cherry Street and Werribee Street railway crossings.

**Open Space & Natural Features objectives**
- To enhance the Werribee River and Wyndham Park as the green heart of the Werribee City Centre, and improve connections to and increase activity in and around these central features.
- To extend the native vegetation themes of the Werribee River and Wyndham Park throughout the Werribee City Centre.
- To incorporate CPTED (Crime Prevention Through Environmental Design) principles into the design of open spaces.
- To foster activity, events, performances and art within the streets and public spaces.
To minimise the overshadowing of significant public spaces by adjacent built form.

Maintain flood conveyance and storage capacity of the Werribee River floodplain.

Minimise flood risks to life, health and property.

**Environmentally Sustainable Design (ESD)**

- To achieve best practice environmentally sustainable design (ESD) within new developments.
- To minimise stormwater run-off and its impact upon the Werribee River.

### 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 Camping and caravan park, Caretaker’s house, Corrective institution and Host farm)</td>
<td>Other than in Sub-precinct 4C or 6B, must not be located at ground floor level along street frontages, except for entry foyers.</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td>Other than in Sub-precinct 4C or 6B, must not be located at ground floor level along street frontages, except for entry foyers.</td>
</tr>
<tr>
<td>Child Care Centre</td>
<td>Access must not be shared with a dwelling.</td>
</tr>
<tr>
<td>Cinema</td>
<td>Must be in Precinct 1, 3 or Sub-precinct 4A.</td>
</tr>
<tr>
<td></td>
<td>Must not be located at ground floor level along street frontages, except for entry foyers.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>Must be in Precinct 1, 3 or Sub-precinct 4A.</td>
</tr>
<tr>
<td></td>
<td>Cinemas must not be located at ground floor level along street frontages, except for entry foyers.</td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises (other than Hotel and Tavern)</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must not be located at ground floor level along street frontages, other than in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Laundromat</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Must not be located at ground floor level along street frontages, except for entry foyers and customer service areas accessible to the public, other than in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Postal agency</td>
<td>Must not be located at ground floor level along street frontages, except for entry foyers and customer service areas accessible to the public, other than in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Railway</td>
<td>Must not be located at ground floor level along street frontages other than in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must not be located at ground floor level along street frontages other than in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Must not be located at ground floor level along street frontages, except for entry foyers.</td>
</tr>
<tr>
<td>Shop (other than Adult sex book shop)</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Tramway</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 bookshop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, primary school or secondary school.</td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Animal keeping</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Hotel</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Nightclub</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Art gallery, Carnival, Cinema, Circus, Nightclub and Restricted place of assembly)</td>
<td>Must not be located at ground floor level along street frontages, except for entry foyers.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be located at ground floor level along street frontages, except for entry foyers.</td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Gambling premises, Market, Postal agency and Shop)</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Service Station</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Tavern</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td>Must not be located in Sub-precinct 4C or 6B.</td>
</tr>
</tbody>
</table>
Section 3 – Prohibited

Use

Agriculture (other than Apiculture)
Brothel
Camping and caravan park
Cemetery
Corrective institution
Crematorium
Freeway service centre
Host farm
Industry (other than Dry cleaner, Laundromat and Research and development centre)
Major sports and recreation facility
Motor Racing Track
Saleyard
Warehouse (other than Commercial display area)

Centre-wide provisions

Use of land
A permit is not required to use land for public purposes providing the use is carried out by, or on behalf of, the public land manager.

Subdivision
Applications for the subdivision of land that are not associated with a development proposal that supports the objectives promoted by this Schedule are discouraged.
Consolidation of land to facilitate the creation of viable development sites is encouraged.

Buildings and works
A permit is not required for:

- 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 security shutter or screen,
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

Design and development

Building design
New buildings and works should meet the following design criteria:

- Buildings should be designed to a high architectural standard.
- Buildings should be designed to respond to their solar orientation.
- Buildings should be designed to address street frontages and respond to their urban context.
- Buildings with ground-level frontages to streets, pedestrian areas and/or passive open spaces should contribute to the appearance and function of these areas by providing:
  - At least 60% of the street frontage as transparent entries or display windows.
  - Clear glazing (tinted, or obscured glazing should not be used) with any security screens open in design and located behind glass in windows.
  - Generous and continuous overhead cover to footpaths (extending approximately 2.5 metres from the building façade) unless it is demonstrated that the particular circumstances do not require it.
  - Direct access from the footpath to ground level premises with minimal change of level; (doorways should be automatically opening and not require steps to be traversed).
  - Floor to ceiling heights at ground level of a minimum of 3.5 metres to accommodate changes of use over time.
- Buildings adjacent to the Werribee River and Wyndham Park should be designed to address and overlook these natural features.
- Buildings should incorporate appropriate noise attenuation measures to protect surrounding public and private spaces.
- Provision for external services including electricity, gas, fire, water and telecommunications should be incorporated into the building design, with service connections provided below ground.
- Service equipment including air-conditioning systems, plant rooms, lift overruns and bins, should be screened or visually incorporated into buildings.
- Connections to services including electricity, gas, water and telecommunications should be provided for below ground level.
- Half-basement or ground floor level car parks should be located behind other active uses at street frontages; otherwise car parks should be located above ground level active uses or below ground level.
- Additional crossovers to provide vehicle access to sites are discouraged, particularly where they would reduce the number of existing on-street car parks or length of existing ground level shop frontages.
- Crossovers providing vehicle access to sites should be designed to minimise their impact on ground level street frontages and pedestrian movement.
- New developments should include paving between the frontage and the street kerb to the specifications of the responsible authority where such paving does not already exist.

**Environmentally Sustainable Design (ESD)**

New development should incorporate best practice environmentally sustainable design (ESD), including initiatives relating to thermal performance, energy efficiency, water efficiency, stormwater management, materials selection and healthy buildings.

**Building Height**

Multistorey development is encouraged, in line with the objective for growth and intensification of the Werribee City Centre. Preferred building heights for new development are specified for each precinct in Clause 5 of this Schedule. These building heights are measured from ground level and reflect a typical height of 4.5 metres between ground floor level and first floor level, and 3.5 metres between upper floor levels.
Applications exceeding the preferred building height may be considered by the responsible authority where it can be clearly demonstrated that the proposed development achieves the centre wide objectives and provisions of this Schedule as well as the objectives and guidelines for the relevant precinct, as demonstrated in an Urban Context Report and Design Response.

Under-development of sites should be avoided. One storey development is not preferred, particularly for properties 10 metres or more in width.

**Building Setbacks**

Preferred front and side setbacks for new development are specified for each precinct in Clause 5 of this Schedule.

Building setback guidelines for new development adjacent to residential zoned land in Precincts 5, 6 or 7 are specified in the relevant precinct provisions at Clause 5 of this Schedule.

**Overshadowing and overlooking**

All buildings and works should be designed to minimise casting shadows on significant public spaces, in particular:

- The Werribee River Reserve,
- Wyndham Park, and
- Kelly Park.

All buildings and works should be designed to minimise casting significant shadows on residential land outside the Activity Centre Boundary.

Overshadowing guidelines for new development adjacent to residential zoned land are specified in the relevant precinct provisions at Clause 5 of this Schedule.

All buildings should be designed to address roads and public spaces for passive surveillance benefits, and minimise overlooking of private spaces.
Precinct provisions

Precinct 1 – Central Precinct

Precinct Map

To strengthen the Central Precinct as the commercial, retail and residential core of the Werribee City Centre.

To encourage and facilitate higher density and high activity mixed use development, featuring active shopfronts at ground level along street frontages and a mixture of residences and offices above.

To enhance Watton Street as a vibrant mainstreet and pedestrian-prioritised thoroughfare.

To improve pedestrian amenity and the mix of uses along Synnot Street.

To strengthen pedestrian links and connections between Watton Street and Synnot Street, and to surrounding precincts.

To activate Rushford Lane as a pedestrian-friendly retail laneway.
5.1-3 Precinct requirements

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Preferred Building height</th>
<th>Preferred building setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A</td>
<td>8 metres to 36 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages, excluding Rushford Lane. 1 metre front setback to a height of 8 metres and 0 metre side setback to a height of 8 metres at Rushford Lane frontage.</td>
</tr>
<tr>
<td>1B</td>
<td>8 metres to 25.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages.</td>
</tr>
</tbody>
</table>

5.1-4 Precinct guidelines

- Car park entries along Watton Street should be avoided where possible.
- Opportunities for pedestrian connections between Watton Street and Synnot Street should be maximised.

5.2 Precinct 2 – Riverbank Precinct

Precinct Map
5.2-2 Precinct Objectives

- To establish the Precinct as an iconic destination.
- To enhance the interface between the Werribee City Centre’s urban core and its River and Park Precinct.
- To create new public spaces connected to adjacent privately-owned buildings, to encourage increased activity and improve connection with the Werribee River and Wyndham Park.
- To generate high levels of activity through a mixture of uses.
- To incorporate commercial and residential uses at upper levels of development overlooking Watton Street, the Werribee River and Wyndham Park.
- To encourage new pedestrian and visual connections between Watton Street, the Werribee River and Wyndham Park.
- To enhance the ground level area beside the river as passive open space and increase its utilisation for recreation.

5.2-3 Precinct requirements

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Preferred building height</th>
<th>Preferred Building setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>8 metres to 18.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages.</td>
</tr>
</tbody>
</table>

5.2-4 Precinct guidelines

- New development on privately-owned sites should address both Watton Street and the Werribee River.
- Built form at ground floor level should have a transparent quality which provides sight lines from Watton Street through to the Werribee River and Wyndham Park.
- Opportunities for pedestrian connections between Watton Street and the proposed Riverbank Promenade should be maximised.
- Overshadowing of Watton Street should be minimised.
- Light spill into the Werribee River Reserve should be minimised.
- Buildings and works within the Werribee floodplain should be designed to minimise flood risks to life, health and property.
5.3 Precinct 3 – Station South Precinct

Precinct Map

5.3-2 Precinct Objectives

- To enhance the Station South Precinct as the traditional central node of the Werribee City Centre.
- To encourage higher density development and a high level of activity around the Werribee Train Station and overlooking the Werribee River and Wyndham Park.
- To encourage an integrated mix of retail, office and residential uses to make the most of the precinct’s transport and natural assets, and to introduce a night-time population into the precinct.
- To encourage new development addressing and activating the open spaces and natural features within and adjacent to the precinct, including the Werribee River, Troup Park and Station Place.
- To establish Sub-precinct 3B, located on the river bend, as the visual centre-point of the City Centre through large-scale redevelopment of the land.
- To create a vibrant retail laneway network through the middle of the Precinct centred on Barnes Place and Comben Drive, to connect the planned Riverbank Promenade with Station Place, the Werribee Train Station, Watton Street and Cherry Street.
5.3-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred building height</th>
<th>Preferred building setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>3A</td>
<td>8 metres to 18.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages.</td>
</tr>
<tr>
<td>3B</td>
<td>8 metres to 71 metres</td>
<td>0 metre front and side setbacks to height of 8 metres at street frontages.</td>
</tr>
</tbody>
</table>

5.3-4 Precinct guidelines

- Redevelopment within Sub-precinct 3B should maximise the potential for river and park views and create a visual centre-point for the Werribee City Centre, by featuring a tall multistorey building.
- Opportunities for new or enhanced pedestrian connections between the Riverbank Promenade, Station Place, the Werribee Train Station, Watton Street and Cherry Street should be maximised.
- Redevelopment of the existing ground level car parks within the precinct is encouraged.
- Car park entries along Watton Street and Station Place should be avoided.
- Light spill into the Werribee River Reserve should be minimised.
- New development should not compromise existing or future rail operations within the railway corridor, including the potential for future grade separation of the Cherry Street railway crossing.
Precinct 4 – Synnot Street South Precinct

Precinct Map

5.4-2 Precinct Objectives

- To develop Synnot Street/Princes Highway as the principal commercial boulevard within the Werribee City Centre.
- To facilitate the expansion of the Werribee City Centre south of Synnot Street.
- To strengthen connections to the Central Precinct and the East Werribee Employment Precinct.
- To encourage further intensification and diversification of the retail, commercial and residential mix along Synnot Street.
- To improve pedestrian amenity along Synnot Street.
- To strengthen and enhance Duncan’s Road as a boulevard and gateway to the Werribee City Centre from the south.
- To encourage the further development of the specialist professional services sector and other commercial and residential uses in the streets south of Synnot Street, as a transition to adjoining residential land.
5.4-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred building height</th>
<th>Preferred building setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>4A</td>
<td>8 metres to 25.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages.</td>
</tr>
<tr>
<td>4B</td>
<td>8 metres to 18.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04 – 1 are to be met.</td>
</tr>
<tr>
<td>4C</td>
<td>8 metres to 18.5 metres</td>
<td>0 metres front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04 – 1 are to be met.</td>
</tr>
<tr>
<td>4D</td>
<td>8 metres to 13.5 metres for land at 1 Tower Road</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04-1 and the standards of Clauses 55.04-2, 55.04-3, 55.04-4, 55.04-5, 55.04-6 and 55.04-8 are to be met. Development at 1 Tower Road should be set back to protect the existing Peppercorn trees at the site’s northern boundary with Princes Highway.</td>
</tr>
</tbody>
</table>

5.4-4 Precinct guidelines

- Ground level active frontages to Synnot Street should be maximised.
- Opportunities for pedestrian and vehicle connections through to Synnot Street from the street south of Synnot Street should be maximised.
- Where possible, car park entries should be from the streets located south of Synnot Street rather than directly from Synnot Street.
- New development within 30 metres of residential zoned land should provide an appropriate built-form transition to adjoining residential zoned areas through the height, setback, scale, massing and detail of new development, as demonstrated by an Urban Context Report and Design Response.
- New development with a boundary adjoining residential zoned land should meet the standards for side and rear setbacks in Clause 55.04 – 1 and the standards for overshadowing in Clause 55.04 – 9.
- New development at 1 Tower Road is to be sensitively designed to ensure the prominence of the historic water tower.
Precinct Objectives

- To facilitate the expansion of the Werribee City Centre north of the railway line and establish a new higher density mixed use residential, commercial and community service area next to the Werribee Train Station and the Werribee River.

- To increase the number of residential, commercial and community services opportunities located close to the Werribee Train Station.

- To encourage higher density mixed use development and activity within the train station car park site (incorporating commuter car parking) and along Manly Street in Sub-precinct 5A, and along Cottrell Street in Sub-precinct 5B.

- To strengthen links and improve access to the train station, bus interchange and through the precinct for public transport, pedestrians, cyclists and users with limited mobility.

- To improve access and connections across the railway line and river.
5.5-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred building height</th>
<th>Preferred building setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>5A</td>
<td>8 metres to 25.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages.</td>
</tr>
<tr>
<td>5B</td>
<td>8 metres to 18.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04 – 1 are to be met.</td>
</tr>
</tbody>
</table>

5.5-4 Precinct guidelines

- Opportunities for overlooking of Wyndham Park and the Werribee River from new developments should be maximised.
- Light spill into the Werribee River Reserve should be minimised.
- Buildings and works within the Werribee floodplain should be designed to minimise flood risks to life, health and property.
- Opportunities for pedestrian connections to the train station and river within the precinct should be maximised.
- New development within 30 metres of residential zoned land should provide an appropriate built-form transition to adjoining residential zoned areas through the height, setback, scale, massing and detail of new development, as demonstrated by an Urban Context Report and Design Response.
- New development with a boundary adjoining residential zoned land should meet the standards for side and rear setbacks in Clause 55.04 – 1 and the standards for overshadowing in Clause 55.04 – 9.
- New development should not compromise existing or future rail operations within the railway corridor, including the potential for future grade separation of the Cherry Street railway crossing.
Precinct Objectives

- To facilitate the expansion of the Werribee City Centre north of Wyndham Park and the railway line.
- To contribute to the repositioning of Wyndham Park and the Werribee River as the central features of the Werribee City Centre, surrounded and overlooked by buildings.
- To establish a new higher density, high activity mixed use area centred on Cottrell Street, incorporating residential, commercial, recreational and community uses.
- To establish Cottrell Street as a high amenity, higher density, mixed use, tree-lined boulevard.
- To encourage within Sub-precinct 6B a mix of medium density commercial and residential uses as a transition to the residential interface with Stawell Street.
5.6-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred building height</th>
<th>Preferred building setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>6A</td>
<td>8 metres to 25.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages.</td>
</tr>
<tr>
<td>6B</td>
<td>8 metres to 18.5 metres</td>
<td>0 metre front and side setbacks to a height of 8 metres at street frontages.</td>
</tr>
</tbody>
</table>

5.6-4 Precinct guidelines

- The opportunity for overlooking of Wyndham Park and the Werribee River from new developments along Cottrell Street should be maximised.
- New development within 30 metres of residential zoned land should provide an appropriate built-form transition to adjoining residential zoned areas through the height, setback, scale, massing and detail of new development, as demonstrated by an Urban Context Report and Design Response.
- Light spill into the Werribee River Reserve should be minimised.
- Buildings and works within the Werribee floodplain should be designed to minimise flood risks to life, health and property.
- New development should not compromise existing or future rail operations within the railway corridor, including the potential for future grade separation of the Werribee Street railway crossing.

6.0 Application requirements

In addition to the application requirements set out at Clause 37.08-7 an application to construct a building or carry out works should be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- Illustrations of sight-lines from balcony edges.
- Sections of the proposed building at appropriate intervals.
- A three-dimensional coloured artist’s impression showing the proposed development in the context of surrounding development.
- A Waste Management Plan.
- A Construction Management Plan which sets out the principal construction issues and how the anticipated process will be managed. The Construction Management Plan should address local amenity issues and make provision for:
  - Measures to protect the amenity of surrounding areas through the construction period against dust, noise, stormwater control and security lighting.
  - The management of construction worker vehicles.
  - The delivery and storage of materials on the site.
  - A schedule of hours of work during the working week.
  - A procedure to seek out of hours work for special construction requirements.
  - Construction access to the site.
- An Environmentally Sustainable Design Report which outlines the ESD initiatives included within the proposal and addresses the ESD provisions in Clause 4.4.
An application which exceeds any of the Preferred Building Heights or Preferred Building Setbacks outlined in the relevant precinct requirements must be accompanied by a Design Response and Urban Context Report, and an Environmentally Sustainable Design Report.

An application for a development in Precincts 4, 5 or 6 within 30 metres of residential zoned land must be accompanied by an Urban Context Report and Design Response which demonstrate an appropriate built-form transition to the adjoining residential zoned land through the height, setback, massing and detail of the development.

An application for development in Precincts 3, 5 or 6 within 50 metres of Public Use Zone 4 land must be accompanied by an Adverse Amenity Impacts Report, which considers the impacts of airborne noise and vibration emissions from the operation of the railway and station on the amenity of sensitive land uses and specifies the proposed mitigation measures after seeking the views of Public Transport Victoria.

An application for a permit on public land by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made, or
- To the application for permit being made and to the proposed use or development.

The responsible authority may waive or reduce any of the application requirements detailed above, for works that are minor in nature or of a specific type where the requirements are not considered relevant or appropriate.

### Notice and review

An application to construct a building or carry out works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it exceeds the preferred building heights or does not meet other precinct requirements contained within Clause 5 of this schedule.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-9, the responsible authority must consider the views of Public Transport Victoria for all applications for use, subdivision and buildings and works within 50 metres of Public Use Zone 4 land.

### Reference documents

*Werribee City Centre Structure Plan 2013 (Wyndham City Council) as amended from time to time.*

*Werribee City Centre Parking Precinct Plan 2013 (Wyndham City Council) as amended from time to time.*
OVERLAYS

This section sets out the overlays which apply in this scheme.
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas where the development of land may be affected by environmental constraints.
To ensure that development is compatible with identified environmental values.

Environmental significance and objectives

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

Class of application

- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Construct a fence.  

Remove, destroy or lop one tree.

Construct a building or construct or carry out works for:

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>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>
</table>
| Pest animal burrows                        | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.  

  In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |
| Planted vegetation                         | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| Railways                                   | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| Regrowth                                   | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:

  - bracken (*Pteridium esculentum*); or

  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. |
### 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.

---

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Road safety</th>
</tr>
</thead>
<tbody>
<tr>
<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>

<table>
<thead>
<tr>
<th>Stone exploration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td>- 1 hectare of vegetation which does not include a tree.</td>
</tr>
<tr>
<td>- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>This exemption does not apply to costeaming and bulk sampling activities.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Stone extraction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the <em>Mineral Resources (Sustainable Development) Act 1990</em> and authorised by a work authority granted under that Act.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surveying</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <em>Surveying Act 2004</em>) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Traditional owners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
<tr>
<td>- a natural resources agreement under Part 6 of the <em>Traditional Owners Settlement Act 2010</em>; or</td>
</tr>
<tr>
<td>- an authorisation order made under sections 82 or 84 of the <em>Traditional Owner Settlement Act 2010</em> as those sections were in force immediately before the commencement of section 24 of the <em>Traditional owners Settlement Amendment Act</em> in 2016 (1 May 2017).</td>
</tr>
</tbody>
</table>
SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

WATERWAY CORRIDORS

1.0

Statement of environmental significance

The major waterways in Wyndham were identified in the Wyndham Waterways Strategy Plan as being, from east to west, Skeleton Creek including the Dry Creek tributary, Werribee River including the Davis Creek tributary, Lollypop Creek and Little River. These are major ecosystems that include permanent and intermittent watercourses and their banks, riparian lands and wetlands associated with the floodplain, escarpments and other geological or topographical features, and connected creeks and tributaries.

The “waterways” within Wyndham support a multitude of habitats and species, some of which are threatened or endangered. The waterways provide:

- a break in the subtle, undulating landscape of the Western Plains;
- obvious visual benefits;
- an environment for flora and fauna to thrive in;
- linear open space reserves and other public lands which are a major contributor to the open space system;
- irrigation water (from the Werribee River) which is used extensively in Werribee South;
- places of abundant food sources and likely camping locations for Aboriginal communities; and places that supported the settlement of post-contact farmers and graziers;
- part of Wyndham’s image and identity.

The “waterways corridor” refers to the aquatic and riparian land containing the core environmental values of the waterway area such as floodplain function, in-stream habitat, riparian vegetation, flora and fauna species and habitats, ephemeral and permanent wetlands, grassy swamps adjoining the waterway, native grasslands adjoining the riparian corridor, the natural valley form and escarpments and includes the natural valley form, escarpments, associated wetlands and floodplain areas up to the 1:100 ARI floodline.

“Environmental buffers” beyond the waterway corridor refers to an area providing protection between identified environmental values (including flora and fauna values, habitat values and cultural values) and the development site.

Impacts of changing land use and development and poor land management practices affect waterway environments and their beneficial values. With increased awareness, the waterways within Wyndham will become a self-sufficient attraction for many generations to come.

2.0

Environmental objectives to be achieved

- To preserve Werribee River, Skeleton Creek, Lollypop Creek, Little River and their tributaries by regulating the type, intensity and impacts of development adjacent to those waterways.
- To recognise the varied nature of Werribee River, Skeleton Creek, Lollypop Creek, Little River and their reaches and ensure future planning and development responds to these characteristics.
- To enhance and re-instate the ecological health of Werribee River, Skeleton Creek, Lollypop Creek and Little River, including revegetation and regeneration of disturbed areas.
- To provide for integrated, ongoing protection and management of Werribee River, Skeleton Creek, Lollypop Creek and Little River as cohesive systems, having regard to their ecological, geomorphological, habitat, landscape character, cultural heritage, recreation, education, social and economic values.
- To protect and enhance all aspects of the waterway corridor including cultural and social sites of significance.
- To protect escarpments and natural waterway valleys from changes that will adversely affect the environmental, social and cultural values of the waterways and their tributaries.
- To ensure development is sufficiently set back from the Werribee River, Skeleton Creek, Lollypop Creek and Little River.
- To ensure that both the quality and volume of stormwater proposed to enter Skeleton Creek has no negative impacts on Cheetham Wetlands.
- To prevent an increase in stormwater run-off into the waterways as a result of proposed activities or development such as stormwater discharge into the Cheetham wetlands from new housing developments.
- To encourage the use of sustainable agricultural practices and replanting of riparian vegetation in rural areas to improve the natural values of waterways.
- To minimise the impact of rural activities on the environmental values of waterways.
- To ensure that the volume of stormwater runoff into waterways is not increased and the quality of runoff improves or remains at established levels where altered land use or development adjacent to waterways occurs.
- To ensure there is an adequate capacity for natural floodplain functions in future urban growth areas including ensuring the 1:100 year flows remain at a level to encourage the sustainability of riparian land and wetlands dependent on these flows.
- To discourage development within the waterways corridor except for passive recreation, pedestrian / cycling trails, stormwater infrastructure and development that does not impact on identified environmental values on the basis of environmental assessment. To allow natural changes to watercourses and stream morphology to occur over time.
- To allow for the enhancement or rehabilitation of environmental values that have been identified on or in the vicinity of the development site.
- To protect Aboriginal and post-contact cultural heritage sites associated with waterways.
- To identify an environmental protection buffer between identified environmental values (including flora & fauna and habitat values and cultural values) and the development based on the Environmental Assessment.
- To protect escarpments and stream banks from erosion caused by increased access, use and flows.
- To minimise the impacts of development in waterways corridors.
- To ensure developers contribute to integrated and ongoing environmental protection and management of the Waterways Corridors.
- To ensure that in established residential areas, the construction of outbuildings and dwelling additions ensures that there is no loss or encroachment into the environmental, cultural or landscape value of waterways.

### Permit requirement

A permit is not required to:

- Undertake re-instatement and revegetation works within the waterway corridor required to implement:
  - An adopted catchment management plan of the Port Phillip Catchment and Land Protection Board or a Catchment Management Authority.
- An adopted waterway management plan or waterway master plan of Melbourne Water, Council or other waterway management authority.
- A landcare plan prepared by an approved Landcare group.
- An endorsed Waterway Mitigation Plan in accordance with Clause 43.04.

- Undertake minor works associated with natural resource, cultural heritage, surveying, engineering and similar assessments required in preparing strategies and plans, concept plans, development plans and applications for rezoning, change of use, subdivision and development.
- Construct a building or construct or carry out works required for ongoing management and operation of effluent treatment and farming activities carried out by Melbourne Water and for environmental protection and enhancement at the Western Treatment Plant.
- Construct or carry out works by a public authority required to regulate the flow of water in a watercourse or provide committed water supply.
- Construct or carry out works on public land required for environmental protection and enhancement.
- Construct or carry out works on public land required to regulate or mitigate flooding.

**Application requirements**

An application must be accompanied by the following reports prepared by an appropriately qualified consultant to the satisfaction of the Responsible Authority and as appropriate:

- An Environmental Assessment which identifies the environmental values of the land and demonstrates how these values will be protected from potential impacts of the proposed development including by use of environmental buffers.
- An Environmental Management Plan
- An Archaeological Survey in accordance with the requirements of Aboriginal Affairs Victoria.
- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.
- A description of stormwater infrastructure facilities subject to them being appropriately located in terms of the environmental values that are to be protected at the site and within the waterway corridor, inclusive of the views of Melbourne Water.
- A plan of passive recreation facilities (such as shared paths, seating, signage etc) with an assessment of the appropriateness of their location in terms of the environmental values that are to be protected at the site and within the waterway corridor, inclusive of the views of Melbourne Water.
- These reports must demonstrate that the proposed development does not have negative impacts on the identified values of the waterways, or the potential for the rehabilitation of these values.
- The provision of passive recreation facilities (such as shared paths, seating, signage etc) is in addition to the 5% open space contribution to Council.

**Decision guidelines**

Before deciding on any application, the responsible authority must consider:

- The extent to which the proposed development meets and encourages the aims and objectives of the Environmental Significance Overlay and whether alternatives are available that would better achieve these outcomes.
- The current and proposed future use of land adjacent to the waterways corridors and the effects on existing and proposed infrastructure.
The Wyndham Waterways Strategy Plan and any relevant waterway management or waterway master plan.

Whether new developments within residential areas have muted tones and are constructed from non-reflective materials.

Whether proposed developments or buildings and works are set back in line with any existing dwelling or structure and are not greater in height than the existing dwelling or structure.

Whether proposed developments will adversely affect adjoining or surrounding neighbours by means of hindering the landscape value of the waterways or overshadowing recreational space abutting a waterways corridor.

Reference Documents

- Werribee Corridor Landscape Study, Green Dale & Wright, 1989;
- Sites of Significance for Nature Conservation in the Werribee Corridor, T.J. Barlow, 1989;
- Sites of Botanical Significance in the Western Region of Melbourne, K. McDougall, 1987;
- Sites of Geological and Geomorphological Significance in the Western Region of Melbourne, N.J. Rosengren, 1986;
- Werribee River Policy and Management Manual, Wyndham City Council, 1995;
- Skeleton Creek Waterways and Environments Strategy, Melbourne Water Corporation, 1996;
- Wyndham Stormwater Management Plan, WBM Oceanics Australia, 2000;
SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

RURAL CONSERVATION AREA

1.0

Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne’s footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne's Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0

Environmental objective to be achieved

- To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.
- To enhance the environmental and landscape values of the area.
- To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.
- To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.
- To maintain and enhance habitat connectivity for listed threatened species.
- To prevent a decline in the extent and quality of native vegetation and native fauna habitat.
- To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.
- To maintain and enhance the integrity of sites of environmental significance.
- To provide for the long-term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0

Permit requirement

A permit is not required to:
· Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.

· Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

· Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.

· Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non-native.
  - Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994*.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the *Building Act 1993*, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

### Application requirements

An application must be accompanied by:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
- Identification of the vegetation and habitat significance of the property.
- A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.

- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Referral of applications**

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
- Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
- Collection of seed and other plant propagules for rehabilitation projects on and off site.

- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

**Reference**

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)
- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)
TRUGANINA CEMETERY GRASSLANDS

Statement of environmental significance

Truganina Cemetery was created in 1866 and is currently an operational cemetery as well as being the interment site of the early settlers of the Truganina district.

The cemetery supports a small remnant area of plains grassland comprising nationally significant and endangered vegetation and vulnerable fauna including:

- Button Wrinklewort (*Rutidosis leptorrhynchoïdes*) - listed as critically endangered under the EPBC Act.
- Spiny Rice-flower (*Pimelea spinescens subsp. spinescens*) – listed as critically endangered under the EPBC Act.
- Doublejointed Speargrass (*Austrostipa bigeniculata*).
- Kangaroo Grass (*Themeda triandra*).
- Striped Legless Lizard (*Delmar impar*) – listed as vulnerable under the EPBC Act and Flora and Fauna Guarantee Act.

Button Wrinklewort (*Rutidosis Leptorrhyncoides*) is an endangered species (EPBC Act) that exists in few locations in Australia. The cemetery also supports one of the best remaining examples of the original Kangaroo Grass (*Themeda Triandra*). The central section of the cemetery has been reserved for the preservation of these species. The area is managed by burning once in three years during winter when the Button Wrinklewort is dormant.

Spiny Rice-flower (*Pimelea spinescens subsp. spinescens*) is a stunted shrub, 5-50 centimetres in height. (*Pimelea spinescens subsp. Spinescens*) is listed as critically endangered under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. Truganina Cemetery contains less than 300 plants and is an intact small native grassland within an active cemetery. The Spiny Rice-flower is significantly prone to future threats which are likely to result in extinction. Populations are threatened by residential and industrial development, construction and maintenance activities on road and rail reserves which may affect drainage and fire regimes, cattle grazing and trampling, ploughing, and weed invasion. The species is very rare in terms of abundance and distribution.

Other nationally listed plants occur within the grassland. A Public Authority Management Agreement exists between the Cemetery Trust and the Department of Sustainability and Environment.

Environmental objective to be achieved

- To protect the Truganina Cemetery grassland.
- To protect significant landscape and habitat areas of threatened species.
- To ensure that development does not impact on the environmental significance of the land.
- To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.
- To prevent environmental degradation of sites of conservation significance.
- To enable areas of conservation significance and habitat values to be identified.
- To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity of the Truganina Cemetery grasslands in the long term.
To maintain and enhance the environmental significance of the Truganina Cemetery grasslands through protection from:
- Inappropriate activities and development.
- Disturbance and removal of rock.
- Indiscriminate weed control.
- Habitat fragmentation and isolation.
- Impacts of pest and weed species.
- Disturbance and destruction of habitat of threatened species.

To ensure that development does not impact on significant habitats.

To ensure that the siting and design of any buildings and works, including the location of sites of interment, protects the areas of environmental significance on the land.

To encourage ecological restoration, regeneration and revegetation with indigenous species within the site and in adjoining areas.

To manage buffers around areas of environmental significance on the Truganina Cemetery land.

To provide for the long-term preservation of the flora and fauna of environmentally significant areas. Management practices for the land aim to achieve:
- Linking and enlarging of remnant parcels of significant flora and fauna habitats.
- Effective and targeted weed control.
- Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
- Rehabilitation of degraded areas through fencing, replanting and ongoing management.
- Collection of seed and other plant propagules for rehabilitation projects on and off site.

### Permit requirement

A permit is not required to:

- Construct or carry out works undertaken by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.
- Construct or carry out works for the purpose of interment where the disturbance of surface soils and native vegetation is to the ‘burial zone’ as identified in the Truganina Cemetery Environmental Management Plan for Wyndham City Council (Native Vegetation Management Services, November 2004).

### Application requirements

An application must be accompanied by:

- A description of how the proposed works are consistent with the Truganina Cemetery Environmental Management Plan for Wyndham City Council (ibid).

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - Identification of the vegetation and habitat significance of the property.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.
- A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.

If in the opinion of the responsible authority a flora and fauna assessment of the land is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Referral of applications**

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The need to adopt a precautionary approach in the absence of scientific certainty.
- The effect of any proposed building or works on the environmental values of the area.
- The reason for removing any vegetation and the practicality of any alternative options.
- The importance of the natural environment including any important landscape or conservation characteristics of the area and the suitability of the proposed development.
- The control of noxious and environmental weeds and pest animals, including the need to minimise the spread of weeds and soil pathogens.
- The results of any flora and fauna survey and assessment of the area.
- Any Growth Area Framework Plans, Biodiversity Conservation Strategies, Sub-Regional Species Strategies, Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change
- Any relevant park management plan or interim management plan.
- Any action statement, significant impact guidelines or prescriptions for listed species or habitat of listed species occurring or likely to occur in the area.
- The Truganina Cemetery Environmental Management Plan for Wyndham City Council (Native Vegetation Management Services, November 2004).
Reference

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)

- Truganina Cemetery Environmental Management Plan for Wyndham City Council (Native Vegetation Management Services 2004)
SCHEDULE 4 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO4.

WESTERN GRASSLAND RESERVES

Statement of environmental significance

These areas have been identified for protection through the creation of grassland reserves. The establishment of the reserves will create large consolidated areas of permanently protected native grassland outside the Urban Growth Boundary in Melbourne’s west. These areas are to be managed to improve their quality and offset losses from clearing associated with urban development and transport infrastructure associated with changes to the Urban Growth Boundary and the implementation of the Delivering Melbourne’s Newest Sustainable Communities Program.

The Western Grassland Reserves will contain the largest consolidated area of Natural Temperate Grassland remaining on the Victorian Volcanic Plain, and support several nationally threatened plant and animal species and provide potential habitat for a range of other nationally threatened species. They also include a range of other habitat types including wetlands, riparian habitats and scattered open grassy woodlands. Parts of these reserves will be made available as offsets for clearing of grasslands within the Urban Growth Boundary.

Conservation reserves account for only 2 per cent of the current extent of natural temperate grassland and the addition of this proposed 15,000 hectares reserve will increase the level of reservation of natural temperate grassland to 20 per cent. Approximately 19 per cent of the native grasslands within the proposed reserves are High quality (habitat score greater than 0.6) and a further 80 per cent are Medium quality (habitat score between 0.31–0.6). The grassland reserves will secure at least 5290 habitat hectares of existing grasslands.

The proposed grassland reserves support several nationally threatened species: Golden Sun Moth (critically endangered), Striped Legless lizard (vulnerable), Spiny Rice-flower (critically endangered), Large-headed Fireweed (vulnerable), Clover Glycine (vulnerable). They also contain Werribee Blue Box which is likely to be listed under the Environment Protection and Biodiversity Conservation Act 1999 in the near future. They include the most likely suitable habitat on the Volcanic Plains for Plains Wanderer (vulnerable) and potential habitat for a range of other specialist grassland species such as Button Wrinklewort (endangered) and the Grassland Earless-dragon (endangered).

The reserves take in a range of other habitats, including Buloke Grassy Woodlands, and a variety of wetland types including Plains Grassy Wetland of the Victorian Volcanic Plain. These wetlands provide habitat for existing populations of Growling Grass frog (vulnerable) and several migratory bird species.

The proposed grassland reserves have been designed to maximise the area of habitat available to resident plant and animal species, in particular threatened species, and to enable management activities critical to the long-term survival of species and vegetation to be undertaken. As a result, not all areas within the reserves support high quality native vegetation and some areas are degraded. Management works will be targeted to these areas.

Environmental objective to be achieved

- To facilitate the establishment of a reservation for at least 15,000 hectares of grassland (nature conservation reserve or National Park) outside the Urban Growth Boundary in Melbourne’s west.
- To provide interim management of the western grassland reserves before they are acquired, achieved by assisting landholders to manage threats and strengthening regulation to prevent degradation.
- To introduce a management regime to ensure that the grassland areas are not degraded in the period prior to acquisition of the land for the grassland reserves.
To manage the areas as a conservation reserve or National Park for a range of particular vegetation and species requirements.

To protect and enhance significant landscape and habitat areas of threatened species.

To ensure that any development does not impact on the environmental significance of the land or the ability of the land to be managed as a contiguous conservation reserve or National Park in the future.

To ensure that any use, development or management of land within and adjacent to areas of environmental significance are compatible with their long-term maintenance, conservation and management (e.g. ecological burning) and will not have detrimental impacts on biodiversity values.

To prevent degradation of sites of environmental significance.

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity in areas of environmental significance in the long term.

To maintain and enhance the integrity of sites of environmental significance.

To maintain and enhance habitat connectivity for National and State listed threatened species.

To encourage ecological restoration, regeneration and revegetation of areas of degraded habitat and areas which currently have no habitat value due to historical or current land management practices.

To manage buffer areas to reduce the impact of land uses adjoining the Western Grassland Reserves and to ensure appropriate management of the reserve does not adversely impact on surrounding land uses.

To provide for the long-term preservation of the flora and fauna of environmentally significant areas.

**Permit requirement**

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.

- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

**Application requirements**

An application must be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - The total extent of vegetation on the property and the extent of native vegetation proposed to be removed, lopped or destroyed.
  - A description of any proposed disturbance or surface soil or rocks, associated with the proposed development.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasslands in the vicinity.

- A land and environmental management plan prepared by a suitably qualified person identifying:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment, 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

Referral of applications

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.

- The effect of any proposed building or works on the environmental values of the land and the integrity of the future reserve.

- The reason for removing any vegetation and the practicality of any alternative options.

- The importance of the natural environment including any important landscape or conservation characteristics of the area and the suitability of the proposed development.

- The control of noxious and environmental weeds and pest animals, including the need to minimise the spread of weeds and soil pathogens.

- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.

- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.

- The results of any flora and fauna survey and assessment of the land.

- Any Growth Area Framework Plans, Biodiversity Conservation Strategies, Sub-Regional Species Strategies, Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

- Any relevant park management plan or interim management plan.

- Any action statement prepared under the *Flora and Fauna Guarantee Act 1988* and any significant impact guidelines or prescriptions prepared under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) for species or habitat listed under either of these Acts that occur or are likely to occur on the land.

### Reference

- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development June 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment June 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research June 2009)
SCHEDULE 5 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO5.

GRASSLANDS WITHIN THE WERRIBEE PLAINS HINTERLAND

Statement of environmental significance

The areas included within this overlay form part of the Victorian Volcanic Plain Bioregion. The native vegetation of the Victorian Volcanic Plain bioregion is one of the most depleted in the State. Only 4.5 per cent of the State still has a cover of native vegetation, and less than 1.2 per cent is in formal reserves.

The Werribee Plains hinterland consists of undulating volcanic plains, a scoria cone and steep gorges formed by the Little and Werribee Rivers. Many elements of the flora reflect the low rainfall of this area, which formerly supported extensive areas of Plains Grassland. Although the native vegetation has been extensively cleared and altered for agricultural, urban and industrial use, there are some large areas of predominantly native vegetation as well as some high-quality wetlands, which are important for many threatened fauna species. There are a number of communities and species in this area that do not occur elsewhere in the bioregion. Important species in this area include, for flora, the Button Wrinklewort, Large-fruit Fireweed, Small Golden Moths, Small Milkwort, Small Scurf-pea, Spiny Rice-flower, and the only remaining wild population of Sunshine Diuris; and, for fauna, the Grassland Earless Dragon, Orange-bellied Parrot, Plains-wanderer, Red-chested Button-quail, Striped Legless Lizard and Swift Parrot.

The landscape consists of undulating volcanic plains with red duplex soils. The Werribee and Little Rivers have incised steep and sometimes spectacular gorges into the basalt plain. The scoria cone of Mount Anakie is a significant landscape feature. A band of Tertiary sediments is located along the western edge of this area.

It has a unique and relatively early history of European settlement due partly to the ease of access of the open grassland plains. Because of this the landscape has been radically altered.

The dry plains of the Werribee plains hinterland formerly supported extensive areas of Plains Grassland. These grasslands integrated with Riverina Plains Grassy Woodland (dominated by Grey Box, Buleke and Drooping Sheoak) to the west and south of Melton, and Plains Grassy Woodland in and around the You Yangs and east of the Brisbane Ranges. Riparian areas supported Floodplain Riparian Woodland and Creekline Grassy Woodland with Escarpment Shrubland on steeper escarpments. A variety of wetland communities formerly occurred throughout including Plains Grassy Wetland, Plains Sedgy Wetland, Canegrass Wetland, Lignum Wetland and Aquatic Herbfield. Scoria Cone Woodland was associated with Mount Anakie and other volcanoes. Areas of Coastal Saltmarsh were found along the shores of Port Phillip Bay. Many elements of the flora reflect the low rainfall including White Cypress-pine and Fragrant Saltbush found along the steep escarpments of the Werribee River, and Woolly Buttons at Little River. The native vegetation has been extensively cleared and altered for agriculture and (increasingly) for urban and industrial use. However, there are large areas of predominantly native vegetation including woodlands, wetlands and grasslands.

The major issue for biodiversity conservation in the Werribee plains hinterland is loss of native vegetation and habitat through clearing for urban development, cropping and infrastructure. The compounding effects of such clearing are the loss of floristic and habitat diversity and increasing fragmentation of habitats and isolation of remnants. Similarly, changes to management of remnant vegetation and increased urbanisation contribute to the proliferation of weeds and feral animals. Degradation of drainage lines and riparian vegetation through erosion, pollution and uncontrolled grazing, depletion of wetlands and changes to the hydrology of wetlands and streams are also serious threats to biodiversity in the region. However, a range of conservation assets are present and significant opportunities do exist to establish relatively large areas and networks of areas that
are managed sympathetically for conservation. Such networks could include a range of vegetation types and land tenures and relatively large and intact areas of open grassland, grassy woodland and wetland communities.

### Environmental objective to be achieved

- To prevent a decline in the extent and quality of native vegetation and native fauna habitat of the Victorian Volcanic Plain.
- To enhance the environmental and landscape values of the area.
- To avoid the fragmentation of contiguous areas of native vegetation or native fauna habitat.
- To ensure that any use, development or management of the land is compatible with the long-term conservation, maintenance and enhancement of the grasslands.
- To avoid the destruction of habitat for native fauna resulting from the modification of land form and disturbance of surface soils and rocks.
- To enable areas of environmental significance, due to their native vegetation or habitat values, to be identified.

### Permit requirement

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the Conservation, Forests and Lands Act 1987.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.
- Construct a building or construct or carry out works for an extension or alteration of an existing dwelling (other than the erection of an outbuilding normal to a dwelling) provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non-native.
  - Where the vegetation is a plant proclaimed as a weed under the Catchment and Land Protection Act 1994.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
- To mow or slash grass in a lawn, garden or other planted area for maintenance only.
- To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

### Application requirements

An application must be accompanied by:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be removed, lopped or destroyed.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed conservation reserves, streams and waterways.

- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

### Referral of applications

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

### Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- Measures to protect and enhance native vegetation and native fauna habitat of the Victorian Volcanic Plain, including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Any relevant strategic grasslands management plan, particularly the potential impact of management activities, such as burning, on any proposed new use or development.
- The impact of any use, development or management of land on the grasslands including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- The need to adopt a precautionary approach in the absence of scientific certainty.
- The reason for removing any vegetation and the practicality of any alternative options.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.
- Any action statement, significant impact guidelines or prescriptions for listed species or habitat of listed species occurring or likely to occur on the land.

**Reference**

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)
- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne’s Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research 2009)
KOROROIT CREEK CORRIDOR PROTECTION

Statement of environmental significance

Kororoit Creek is a major environmental and recreational asset within Melbourne’s western region winding its way from its headwaters at Mount Aitken, Deverall Hill and Beattie Hill to enter Port Phillip Bay at Altona 81 kilometres downstream.

Kororoit Creek is significant for its geomorphological, landscape, biodiversity and recreational values, particularly within the 50 metre habitat corridor along the waterway.

Kororoit Creek is part of the extensive western basalt plains, which formed by volcanic activity at least two million years ago. The natural escarpments and deep pools of Kororoit Creek are a distinguished characteristic and make the Creek a significant waterway within Melbourne’s west and north. Kororoit Creek is an outstanding example of a Victorian basalt plains stream. In an urban Melbourne context it is one of the most valuable streams in Melbourne, with its natural pools and escarpments rivalling and surpassing most others.

Kororoit Creek passes through a diverse range of landscapes and land-uses. The characteristics of the Creek alter from flat, open rural land to established and developing urban suburbs industrial land with significantly altered Creek profiles and into flood plains passing through rich mangrove and saltmarsh habitats.

The Creek corridor provides a habitat for endangered species such as the Growling Grass Frog and the Striped Legless Lizard, as well as internationally recognised migratory birds at the saltmarshes of the Creek mouth. The Creek also features significant remnant native vegetation, including the River Red Gum and White Mangroves. In addition, the Creek banks and land at the top of the banks, while somewhat degraded, contain a number of sites supporting remnant vegetation, providing valuable habitat.

Kororoit Creek corridor is regarded as an important and valuable asset by local communities of the western suburbs and visitors. The Creek is used extensively for walking, cycling, open space, recreation and picnics.

As such, the protection and restoration of sites and features of geomorphological, landscape, biodiversity and recreational values are of a high importance.

Local Context

Wyndham

The Kororoit Creek traverses through the industrial area of Laverton North, beginning at Boundary Road and running through to the Princes Highway. This reach of the Creek contains remnant indigenous vegetation close to the waterway edge, extensive revegetation planting and natural rock formations, and provides habitat to numerous faunal species. Although it is presently lined by industrial properties, this reach of the Creek benefits from excellent public access including a shared path along the entire stretch that links to the Federation Trail. Further revegetation is encouraged to help restore and enhance the natural creek corridor and provide a continuous publicly managed and accessible waterway.
Environmental objectives to be achieved

Ecological Systems

Objective 1
To protect and improve waterway health and biodiversity values of Kororoit Creek and its environs, including native vegetation, fauna habitat, and flora and fauna species.

Guidelines

- Minimise degradation of environmental value by avoiding the removal or damage to existing native vegetation and habitat areas.
- Landscape design, groundwater/stormwater design and earthworks should prevent any adverse impacts on water run-off, weed invasion, exotic species introduction and land erosion.
- Limit public access to areas identified as high value biodiversity areas with appropriate fencing, access ways and signage.
- Protect or enhance water quality in the Creek, including the use of water sensitive urban design and the construction of stormwater treatment ponds adjacent to the Creek corridor.
- Locate passive and active recreational open spaces to minimise disruption to environmentally significant areas, with appropriate fencing, screening and/or landscape buffer areas.

Landscape character

Objective 2
To protect and enhance the natural geological form of the Creek, particularly rock escarpments and associated pools of the Kororoit Creek.

Guidelines

- Encourage rehabilitation works to return the Creek banks to a natural state, particularly where it has been significantly altered or channelled.
- Protect natural river profile, geomorphology and geological formations by avoiding major earthworks, minimising cut and fill of embankments and managing access.

Objective 3
To improve the landscape character of the Creek corridor.

Guidelines

- Ensure that elements of the original landscape are retained particularly through the planting of indigenous vegetation.
- New landscaping and vegetation should be located and designed to reinforce the legibility of the local waterway landform and re-establish the Creek’s original natural setting.

Open space and access objectives

Objective 4
To create and maintain a continuous open space corridor and access trail with links to an open space network of local parks, linear green spaces, regional parks and trail connections.

Guidelines

- Maintain opportunities for integration/connection of the Kororoit Creek trails and pathways with other existing and proposed trails.
Retain existing connections and protect potential connections from the Creek corridor to community facilities, other open space trails and the regional open space network.

Construct access paths / trails in accordance with the AustRoads Trail Standards and the Melbourne Water Shared Pathways Guidelines (January 2009).

Locate passive and active recreational open spaces to minimise disruption to environmentally significant areas, with appropriate fencing, screening and/or landscape buffer areas.

**Views and visual features**

**Objective 5**
To protect and enhance the natural and visually attractive Creek corridor and landscape views along the Creek corridor.

**Guidelines**

- Development and works (buildings, fences or other structures) should be designed and located so as not to be visually prominent or intrusive when viewed from the Creek corridor and pathways/trails.

- Landscape enhancement and revegetation works should seek to restore the natural environment and reduce the visual prominence of urban forms, for example landscape screening with indigenous vegetation to obscure the visibility of the built form.

- Ensure works adjoining the Creek are sensitively placed and designed to minimise the visual impact on the Creek corridor.

**Built form objectives**

**Objective 6**
To avoid or minimise impacts of buildings and works on the Creek corridor.

**Guidelines**

- Ensure careful and responsive subdivision and building design reflects the landform and geomorphology of the Creek valley.

- Ensure that the earthworks, built form and fencing retain and enhance the local natural landform and bank profile of the Creek corridor, through appropriate setback and landscaping.

- Ensure development and works are sensitively placed and designed to provide a positive interface to the Creek corridor.

- Locate and design new buildings to not be visually prominent or intrusive when viewed from the Creek corridor or pathways/trails.

- Ensure development provide opportunities for passive surveillance of the Creek corridor.

- Minimise hard paving surfaces on lots adjacent to the Creek.

- Encourage the provision of a continuous publicly accessible open space corridor adjacent to the waterway.

- Fence transparency must be a minimum of 50%. Fence design, materials and transparency should be appropriate to the landscape setting of the Creek and provide opportunities for visual interaction along the Creek corridor.

- Built form should not be visually obtrusive within the Creek corridor. Visual bulk should be avoided through building form, materials, articulation, setbacks and with landscape screening where no design alternative exists.
Building facades should be highly articulated in response to the landscape context, avoiding large, stark expanses of wall materials. External wall and roof materials should be appropriate to the natural, landscape setting of the Creek corridor. Highly reflective or metallic materials should be avoided.

- Ensure the use of consistent built landscape elements, such as signage, pathways and furniture.
- Ensure development and works protect Aboriginal and post-contact cultural heritage sites associated with waterways.
- Ensure development and works protect and enhance all aspects of the waterway corridor including cultural and social sites of significance.

**Permit requirement**

In addition to the permit requirements of Clause 42.01-2, a permit is required to:

- Construct a building or fence.

A permit is not required to:

- Undertake re-instatement and revegetation works within the waterway corridor required to implement:
  - An adopted catchment management plan of the Port Phillip Catchment and Land Protection Board or a Catchment Management Authority.
  - An adopted waterway management plan or waterway master plan of Melbourne Water, Council or other waterway management authority.
  - A landcare plan prepared by an approved Landcare group.
  - An endorsed Waterway Mitigation Plan in accordance with Clause 43.04.

- Undertake minor works associated with natural resource, cultural heritage, surveying, engineering and similar assessments required in preparing strategies and plans, concept plans, development plans and applications for rezoning, change of use, subdivision and development.

- Construct a building or construct or carry out works required for ongoing management and operation of effluent treatment carried out by Melbourne Water.

- Construct or carry out works by or on behalf of a public authority or waterway management authority required to regulate the flow of water in a watercourse or provide committed water supply.

- Construct or carry out works by or on behalf of a public authority or waterway management authority on public land required for environmental protection and enhancement.

- Construct or carry out works by or on behalf of a public authority or waterway management authority on public land required to regulate or mitigate flooding.

- Construct or carry out works by or on behalf of a public authority or waterway management authority for the ongoing management, operation and maintenance of a minor utility.

The requirement for a permit to remove, destroy, prune or lop vegetation does not apply to:

- Pruning or lopping of vegetation to maintain access to open space and pedestrian trails/paths, public safety or to maintain a plant’s horticultural health.
- The removal of non-indigenous plants in the preparation for revegetation or native vegetation management works by / on behalf of a municipal council or public authority or waterway management authority.
Application requirements

An application to subdivide land, construct a building or construct or carry out works must be accompanied by the following information as appropriate, unless otherwise agreed to by the responsible authority:

- A site plan to scale showing lot boundaries, setbacks of existing and proposed buildings and works, driveways and vehicle parking and loading areas, external storage and site service areas, proposed landscape areas and the location of any easements, native and exotic vegetation and the vegetation to be removed.

- An application for buildings and works should include an Environmental Construction Management Plan that will provide, but not be limited to the following information:
  - The location, species and value of existing native vegetation on site.
  - How buildings or works will not compromise remnant native vegetation.
  - How buildings or works will not compromise the Creek corridor landscape or natural landform.
  - How the development will protect the existing ecological values of the Creek corridor.
  - How buildings or works will not threaten stream processes or water quality.
  - Proposed measures to minimise the extent of stream bank disturbance and runoff.
  - The need to stabilise disturbed areas by engineering works or vegetation.
  - Construction vehicle access.
  - An Archaeological Survey in accordance with the requirements of Aboriginal Affairs Victoria.
  - Building elevations drawn to scale.
  - Existing and proposed finished site levels.
  - The gradient and location of the top and toe of all cut and fill batters.
  - The location, height and materials of construction of existing and proposed retaining walls.
  - Floor plan layouts and finished floor levels.
  - A landscape plan showing existing and new vegetation, retaining walls and fencing.
  - The proposed external building materials, finishes and colours.
  - Details of the location of the proposed method of sewage, stormwater, sullage and effluent disposal.
  - The location of fuel tanks, water storage or other storage facilities so as to not inhibit the ability to carry out ecological burning of adjacent vegetation.
  - The gradient and location of all hardstand areas to direct surface water away from native vegetation and into approved drainage points.

- An application to remove, destroy or lop vegetation must be accompanied by the following information:
  - A description of the vegetation to be removed, including the extent and type of vegetation and the number and size of any vegetation to be removed.
  - A written explanation justifying the removal of the vegetation.

Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:
- The guidelines for each objective.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement.
- The Kororoit Creek Regional Strategy 2005-2030 and any relevant adopted waterway management plan or waterway master plan.
- Applications 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.

Reference Documents
- Kororoit Creek Regional Strategy 2005-2030.
- Kororoit Creek Masterplan 2006
- Melbourne Water Shared Pathways Guidelines (January 2009)
- Port Phillip and Westernport Regional River Health Strategy (June 2007)
- Wyndham Waterway Strategy Plan 2002
VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO with a number.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect areas of significant vegetation.
To ensure that development minimises loss of vegetation.
To preserve existing trees and other vegetation.
To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
To maintain and enhance habitat and habitat corridors for indigenous fauna.
To encourage the regeneration of native vegetation.

Vegetation significance and objectives
A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

Permit requirement
A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.
This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
</tbody>
</table>

Table of exemptions

The requirement to obtain a permit does not apply to:

Emergency works
Vegetation that is to be removed, destroyed or lopped:
- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

Fire protection
Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:
- fire fighting;
The requirement to obtain a permit does not apply to:

- planned burning;
- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;
- in accordance with a fire prevention notice issued under either:
  - Section 65 of the Forests Act 1958; or
  - Section 41 of the Country Fire Authority Act 1958.
- keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management and directions notice</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Mineral exploration and extraction</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>• that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>• in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td></td>
<td>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</td>
</tr>
<tr>
<td>Noxious weeds</td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (Cuscuta australis).</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</td>
</tr>
<tr>
<td></td>
<td>In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Vegetation Type</th>
<th>Exemption Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>
| Regrowth              | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| Road safety           | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| Stone exploration     | Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
This exemption does not apply to costeaning 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

TRUGANINA CEMETERY

1.0

Statement of nature and significance of vegetation to be protected

A small remnant area of plains grassland dominated by *Stipa bigeniculata* and *Themeda triandra* but also supporting a variety of native grasses and containing a large and viable population of the Nationally endangered Button Wrinklewort (*Rutidosis leptorrhynchoides*), once common in south-eastern Australia. The vulnerable Striped Legless Lizard (*Delmar impar*) has been recorded in the Cemetery.


2.0

Vegetation protection objective to be achieved

To ensure the long-term protection of native grasses, the nationally endangered Button Wrinklewort (*Rutidosis leptorrhynchoides*) and associated fauna.

To prevent inappropriate development that is likely to prejudice the long-term protection of native grasses, the nationally endangered Button Wrinklewort (*Rutidosis leptorrhynchoides*) and associated fauna.

3.0

Permit requirement

A permit is not required to remove, destroy or lop any native vegetation undertaken:

- to dig or maintain a grave.

- by or on behalf of the land manager intended to maintain or improve the Cemetery’s significance as a flora and fauna conservation site.
SCHEDULE 2 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO2

ANGLISS ESTATE GRASSLAND RESERVE

1.0

Statement of nature and significance of vegetation to be protected

A large area of remnant plains grassland, dominated by *Themeda triandra*. The reserve contains a diverse range of species with depressions containing significant swamp species. The reserve is seen as an adjunct to the Nationally significant Derrimut Grassland Reserve to the north-east.


2.0

Vegetation protection objective to be achieved

To ensure the long-term protection of remnant plains grassland and swamp species.

To prevent inappropriate development that is likely to prejudice the long-term protection of remnant plains grassland and swamp species.

3.0

Permit requirement

A permit is not required to remove, destroy or lop any native vegetation undertaken by or on behalf of the land manager intended to maintain or improve the significance of the area as a flora and fauna conservation 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>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
</tr>
<tr>
<td>Remove, destroy or lop one tree.</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
</tr>
<tr>
<td>- A rainwater tank.</td>
</tr>
</tbody>
</table>

The buildings and works must be associated with a dwelling.
### Table of exemptions

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency works</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td><strong>Fire protection</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</td>
</tr>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
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<td></td>
<td>- making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
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<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
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<td>- in accordance with a fire prevention notice issued under either:</td>
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<td>- Section 65 of the Forests Act 1958; or</td>
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<td>- Section 41 of the Country Fire Authority Act 1958.</td>
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<td></td>
<td>- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;</td>
</tr>
<tr>
<td></td>
<td>- minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.</td>
</tr>
<tr>
<td></td>
<td><em>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</em></td>
</tr>
<tr>
<td><strong>Geothermal energy exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td><strong>Greenhouse gas sequestration and exploration</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td><strong>Land management or directions notice</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Land use conditions</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Mineral exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noxious weeds</td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (Cuscuta australis).</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Regrowth</td>
<td>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is</td>
</tr>
<tr>
<td></td>
<td>- bracken (Pteridium esculentum); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
</tr>
<tr>
<td>Road safety</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with 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).</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</td>
</tr>
<tr>
<td></td>
<td>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeanning and bulk sampling activities.</td>
</tr>
<tr>
<td>Stone extraction</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.</td>
</tr>
<tr>
<td>Surveying</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td>Traditional owners</td>
<td>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.
HERITAGE OVERLAY
Shown on the planning scheme map as HO with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To conserve and enhance heritage places of natural or cultural significance.
To conserve and enhance those elements which contribute to the significance of heritage places.
To ensure that development does not adversely affect the significance of heritage places.
To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope
The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

Permit requirement
A permit is required to:
- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy facility attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.

- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.

- Externally alter a building by structural work, rendering, sandblasting or in any other way.

- Construct or display a sign.

- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.

- Externally paint an unpainted surface.

- Externally paint a building if the painting constitutes an advertisement.

- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.

- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.

- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
</tbody>
</table>
**Class of application**

- The construction or carrying out of the approved building or works on the land has started lawfully.
- The subdivision does not create a vacant lot.

- Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.
- Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.
- Externally alter a non-contributory building.
- External painting.
- Construct a fence.
- Construct a carport, garage, pergola, verandah, deck, shed or similar structure.
- Construct and install domestic services normal to a dwelling.
- Construct and install a non-domestic disabled access ramp.
- Construct a vehicle cross-over.
- Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construct a rainwater tank.
- Construct or display a sign.
- Lop a tree.
- Construct or install a solar energy facility attached to a dwelling.
- Construct and install an electric vehicle charging station.
- Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

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**Places in the Victorian Heritage Register**

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

**Permit requirement**

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

**Referral of applications**

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
43.01-3

No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the \textit{Cemeteries and Crematoria Act 2003}.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

43.01-4

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbecues, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- a registered heritage place included in the Victorian Heritage Register established under Part 3 of the Heritage Act 2017.

Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.
Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*. 
SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

Application requirements
None specified.

Heritage places
The requirements of this overlay apply to both the heritage place and its associated land.

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO1</td>
<td>Ford Werribee River, Werribee</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO2</td>
<td>Main Outfall Sewer, Hoppers Crossing, Laverton North, Truganina, Werribee, and Williams Landing.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>Yes Ref H1932</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>HO3</td>
<td>Werribee System - Diversion Weir. The heritage place is the diversion weir.</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO5</td>
<td>House 949 Aviation Road, Werribee South The heritage place is the house and concrete farm building.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO6</td>
<td>Carramar House and Farm Lot 1 LP205808, 1055 Aviation Road, Werribee South</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>PS map ref</td>
<td>Heritage place</td>
<td>External paint controls apply?</td>
<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
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</tr>
<tr>
<td>HO7</td>
<td>Hegarty’s House 24 Ballan Road, Werribee The heritage place is the house and front garden (to the extent that early layout and features remain).</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO8</td>
<td>Campbells House and Store 85 Edgars Road, Little River The heritage place is the building only.</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO9</td>
<td>The Peppercorns 1625 Boundary Road, Mt Cottrell The heritage place is the house, bluestone ruin and stone walls.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO10</td>
<td>Volant House (now Arva) 1645 Boundary Road, Mt Cottrell The heritage place is the house and associated features including dry stone walls around the main paddocks, including the boundary walls, paddock walls and stone enclosure.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO11</td>
<td>Evans House (former) 725 Boundary Road, Truganina The heritage place is the house and immediate setting.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>PS map ref</td>
<td>Heritage place</td>
<td>External paint controls apply?</td>
<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
</tr>
<tr>
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</tr>
<tr>
<td>HO12</td>
<td>Werribee Racecourse</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Bulban Road, Werribee</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>The heritage place is the whole of the racecourse.</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO13</td>
<td>Devine House (ruins)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Lot CA 34 Psh Bulban, Bulban Road, Mambourin</td>
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<td></td>
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</tr>
<tr>
<td></td>
<td>The heritage place is the house ruin and immediate setting.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO14</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>780 Bulban Road, Werribee</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>The heritage place is the house, stone walls and mature plantings along driveway.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>HO15</td>
<td>Werribee Park Primary School</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>10 Cayleys Road, Werribee South</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>The heritage place is the original school buildings.</td>
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<td></td>
</tr>
<tr>
<td>HO16</td>
<td>Kelly Park</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Cherry Street, Werribee</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>The heritage place is the whole of park. Recent buildings do not contribute to the significance of the park and are not protected, however redevelopment of, or changes to these buildings should consider the significance of the place.</td>
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</tr>
<tr>
<td>HO17</td>
<td>Chirnside (Corpus Christi) Gates</td>
<td>-</td>
<td>-</td>
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<td>Chirnside Ave (cnr Russell Street), Werribee</td>
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<td>HO18</td>
<td>Cobbledicks Ford and Reserve</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td></td>
<td>The heritage place also includes the dry stone walls around the reserve, along the west side of Dukelows Road and north and west side of Cobbledicks Ford Road.</td>
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<td>HO19</td>
<td>Water Tank</td>
<td>-</td>
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<td>Yes Ref H1416</td>
<td>No</td>
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<td></td>
<td>Melbourne Water Western Treatment Plant, Cocoroc Road, Werribee.</td>
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<td>HO20</td>
<td>Werribee Guides Hall</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>Soldiers Reserve, College Road, Werribee</td>
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<td></td>
<td>The heritage place is the building.</td>
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<tr>
<td>HO21</td>
<td>Carter’s Housing Estate, Bounded by College Road and Anderson Street and comprises properties in Mary Avenue and Carter Crescent.</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>The heritage place is all of the estate including public spaces, roadways and larger street trees.</td>
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<td>HO22</td>
<td>Werribee Railway Station, Comben Street, Werribee</td>
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<td>-</td>
<td>Yes Ref H1309</td>
<td>No</td>
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<td>HO23</td>
<td>Cottrell Street Sports and Physio Centre</td>
<td>No</td>
<td>No</td>
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<td>90 Cottrell Street, Werribee</td>
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<td>HO24</td>
<td>Racecourse Hotel 78-80 Cottrell Street, Werribee The heritage place is the 1930s and earlier sections of the building.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO25</td>
<td>George Chirnside Experimental Dairy Lot 4, PS 332021, Crawfords Road, Werribee South. The heritage place is the remaining features of house, cheese room and garden setting.</td>
<td>-</td>
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<td>Yes</td>
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<td>HO26</td>
<td>Cunningham House 51 Cunninghams Road, Werribee South The heritage place is the house and the irrigation channel.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO28</td>
<td>Robertson Farm Complex CA G Sec 22 Psh Tarneit, Derrimut Road, Tarneit The heritage place is the whole of site enclosed by stone wall.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO30</td>
<td>Wine Cellars Lot 2 LP208740 Derrimut Road, Tarneit</td>
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<td>No</td>
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<td>HO31</td>
<td>Werribee Primary School 2 Deutgam Street, Werribee</td>
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<td>HO32</td>
<td>Villa Franca, 35-39 Deutgam Street, Werribee.</td>
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<td>HO33</td>
<td>Diggers Road Soldiers Memorial Hall 450 Diggers Road, Werribee South</td>
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<td>HO34</td>
<td>Portelli House and Shop 650 Diggers Road, Werribee South</td>
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<td>HO35</td>
<td>Dam CA B Sec 18 Psh Tarneit, Dohertys Road, Mt Cottrell</td>
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<td>HO36</td>
<td>Doherty House Lot 1 LP97350, 1103 Dohertys Road, Truganina</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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</table>

The heritage place includes the Vineyard Estate, wine cellar, ruins, dry stone walls, mulberry trees and other archaeological features located on the west side of Skeleton Creek north of Leakes Road.
<table>
<thead>
<tr>
<th>PS map ref</th>
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<tbody>
<tr>
<td>HO37</td>
<td>Eynesbury (part) Stauthons Bridge site Lot 1B PS543210 Dohertys Road, Tarneit Springhill Road, Eynesbury</td>
<td>-</td>
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<td>Yes Ref H362</td>
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<tr>
<td>HO38</td>
<td>Missen House (site) CA C Sec 22 Psh Tarneit, Dohertys Road, Truganina The heritage place is the house, stone walls and plantings.</td>
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<td>No</td>
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<td>Yes</td>
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<td>HO39</td>
<td>Truganina Cemetery Woods Road, Truganina The heritage place is the cemetery.</td>
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<td>No</td>
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<td>HO41</td>
<td>Bambra Park 2 Dukelows Road, Mt Cottrell The heritage place is the house and garden.</td>
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<td>No</td>
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<td>HO42</td>
<td>Cobbledicks House (Ruin) 2 Dukelows Road, Wyndham Vale The heritage place is the bluestone ruin and immediate surrounds.</td>
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<td>HO43</td>
<td>Dukelow house</td>
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<td>HO44</td>
<td>Kurrajong Trees</td>
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<td>HO45</td>
<td>Braemor</td>
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<td>HO46</td>
<td>Building and Water Tower</td>
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<td>818 Duncans Road, Werribee South</td>
<td>The heritage place is the tower and small building.</td>
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<td>Deveney House</td>
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<td>835 Duncans Road, Werribee South</td>
<td>The heritage place is the house and garden.</td>
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<td>HO48</td>
<td>Former Werribee Estate School and School Teachers House</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>849 Duncans Road, Werribee South</td>
<td>The heritage place is the house, fenced area, timber shelter shed, trees, and irrigation channel and rear and sides.</td>
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<td>HO49</td>
<td>Fowlers House and Silo</td>
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<td>885 Duncans Road, Werribee South</td>
<td>The heritage place is the concrete house, silo, dam and remains of cheese factory.</td>
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<td>HO50</td>
<td>Grahams Dairy</td>
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<td>The heritage place is the concrete building.</td>
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<td>HO52</td>
<td>Little River Uniting Church</td>
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<td>NE Corner Edgars Road and Boadles Lane, Little River.</td>
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<td>HO53</td>
<td>Mouyong</td>
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<td>Lots 1 &amp; 2 PS609745 Edgars Road, Little River.</td>
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<td>The heritage place is the bluestone shearing shed and the dry stone walls to the south of the shed paddock and north of Mouyong Road, bluestone building and their immediate surrounds.</td>
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<td>HO54</td>
<td>Shaw House</td>
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<td>The heritage place is the house and immediate garden setting, and dry stone wall.</td>
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<td>HO55</td>
<td>Richmond and McNaughton Properties</td>
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<td>The heritage place is the ruins, bluestone stores, two timber houses, bluestone wells, bluestone and dry stone walls, and the immediate setting of each building.</td>
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<td>Old Little River Hotel</td>
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<td>16 Flinders Street, Little River</td>
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<td>Powell Shops and Service Station 5 &amp; 7 Glen Street, Werribee</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO58</td>
<td>Houses 63-65 Greaves Street, Werribee</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO59</td>
<td>St Andrews Catholic Church 101-105 Greaves Street, Werribee</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO60</td>
<td>Anderson Homestead Site Lot B PS708632, South of Lollypop Creek, Greens Road, Wyndham Vale</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO61</td>
<td>Chaffey Irrigation Scheme Riverbend Historical Park, Heaths Road, Werribee</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO62</td>
<td>Hogan House Lot 3 Hogans Road, Tarneit</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO64</td>
<td>Werribee Park</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref H1613</td>
<td>No</td>
<td>No</td>
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<td>K Road, Werribee</td>
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<td>The heritage place includes</td>
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<td></td>
<td>graves, headstones, the bluestone wall at Werribee Park Golf Course, and the Dry Stone Ha ha Wall.</td>
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<tr>
<td>HO66</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>22-26 Little River Road, Little River</td>
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<td></td>
<td>The heritage place is the original one room blue stone cottage.</td>
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<td>HO67</td>
<td>Ball House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>135-173 Little River Road, Little River</td>
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<tr>
<td></td>
<td>The heritage place is the house, shed/barn and immediate setting including dry stone walls.</td>
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<td>HO68</td>
<td>Euneane’s Poultry Farm</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>3-19 Lock Ave, Werribee</td>
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<td></td>
<td>The heritage place is the existing brick warehouse building.</td>
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<tr>
<td>HO69</td>
<td>Jack Carter’s Poultry Farm</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>60-68 Lock Ave, Werribee</td>
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<td>HO70</td>
<td>Adapted Railway Carriage 500 O'Connors Road, Werribee South</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO71</td>
<td>Tardrew House 510 (518) O'Connors Road, Werribee South</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO72</td>
<td>Rothwell Bridge Old Melbourne Road, Little River</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H1454</td>
<td>No</td>
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<td>HO73</td>
<td>Tarcombe 2-54 Old Melbourne Road, Little River</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
<td>No</td>
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<tr>
<td>HO74</td>
<td>Point Cook Homestead &amp; Stables, Point Cook Homestead Road, Point Cook</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H1509</td>
<td>No</td>
<td>No</td>
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<td>HO75</td>
<td>State Research Farm, Princes Highway, Werribee</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H1961</td>
<td>No</td>
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</table>

The heritage place is the main building (nos. 60-62, 64-66), red brick building (no. 68) and the silos.
<table>
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<tbody>
<tr>
<td>HO76</td>
<td>Werribee Satellite Aerodrome, Princes Highway (Geelong Road) and Farm Road, Werribee</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref H1884</td>
<td>Yes</td>
<td>-</td>
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<td>HO77</td>
<td>Werribee Cemetery Railway Ave, Werribee The heritage place is the whole of cemetery except for lawn cemetery area.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO78</td>
<td>Geodetic Survey Baseline, Princes Highway, Hoppers Crossing South Base Stone, Railway Reserve (rear of 301 Princes Highway, Werribee). North Base Stone, 1245 Sayers Road, Tarneit. Green Hill Extension Marker, off Springhill Road, Eynesbury.</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>Yes Ref H1957</td>
<td>No</td>
<td>-</td>
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<tr>
<td>HO79</td>
<td>House (Former police paddocks area) 1-3 Rainsford Street, Werribee The heritage place is the house.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO80</td>
<td>Bull House 35 River Street, Little River The heritage place is the house and oil shed.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO82</td>
<td>Bulban Reserve Rothwell Road, Little River The heritage place is the extent of the reserve and its landscape features.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO83</td>
<td>Little River Mechanics Institute 8 Rothwell Road, Little River The heritage place is the building and lamp.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO84</td>
<td>Christ Church 48-50 Rothwell Road, Little River The heritage place is the church building. Later fence and gate and the bluestone gutter along Rothwell Road are contributory.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO86</td>
<td>Barrie House (former) 1-3 Rothwell Street, Little River The heritage place is the entire site.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO87</td>
<td>Former Grooms House 8 Rothwell Street, Little River The heritage place is the house.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO88</td>
<td>Bates House 13 Rothwell Street, Little River The heritage place is the house.</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO89</td>
<td>Roland Carter House 51-59 Russell Street, Werribee</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO91</td>
<td>Little River Railway Station and Goods Yard 19-27 River Street, Little River - - - - Yes Ref No H1572 No -</td>
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<td>HO93</td>
<td>Wattle Park</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>85-87 Sewells Road, Werribee</td>
<td>The heritage place is the ruined bluestone house and the Edwardian weatherboard house.</td>
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<td>HO94</td>
<td>Former Picture Palais</td>
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<td>No</td>
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<td>15-19 Station Place, Werribee</td>
<td>The heritage place is the main façade.</td>
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<td>HO95</td>
<td>Crossroads Uniting Church (Former St Thomas’ Presbyterian Church), Cnr Synnot Street and Duncans Road, Werribee</td>
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<td>Yes Ref No H628</td>
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<td>HO97</td>
<td>Muswell</td>
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<td>9-11 Synnot St, Werribee</td>
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<td>HO98</td>
<td>St Thomas Church of England</td>
<td>No</td>
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<td>119-121Synnot Street, Werribee</td>
<td>The heritage place is the 1900 church, 1859 church, 1940s-50s hall and the front fence on Synnot Street. Modern brick extension to 1900 church is excluded.</td>
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<td>HO99</td>
<td>Police House (former)</td>
<td>No</td>
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<td>129 Synnot Street, Werribee</td>
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<td>HO100</td>
<td>Water Tower &amp; Office</td>
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<td>1 Tower Road, Werribee</td>
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<td>HO101</td>
<td>Sumiya</td>
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<td>HO102</td>
<td>The Manor (remnants) Wattamolla Ave, Werribee The heritage place is the large trees and stone wall remnants of the Manor.</td>
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<td>Yes</td>
<td>No</td>
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<tr>
<td>HO103</td>
<td>Little House 56-58 Wattle Ave, Reserve on Bowery Court and 77, 85 &amp; 87 Wattle Ave, Werribee The heritage place is the house, mature trees within the property grounds, the mature trees in the reserve to the north, and olive trees on eastern side of road at 77, 85 &amp; 87 Wattle Ave.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>HO104</td>
<td>Chirnside Park Pt CA 3 Sec 5A Psh Deutgam Watton Street, Werribee The heritage place is the whole of the park, including mature trees and remnant vegetation along the river, the grandstand and kiosk, entry gates, Hume and Hovell memorial, earlier swimming pool (in the river). The recent building and facilities are not included.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>No</td>
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<td>HO105</td>
<td>Troup Park and Weighbridge Watton Street, Werribee</td>
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<td>Yes</td>
<td>No</td>
<td>No</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>
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</tr>
<tr>
<td>HO106</td>
<td>War Memorial Cnr Watton Street and Station Place, Werribee The heritage place is the war memorial and immediate setting.</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO107</td>
<td>Deney’s Clock Cnr Watton Street and Station Place, Werribee The heritage place is the clock.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO109</td>
<td>Callanan’s Chemist 47 Watton Street, Werribee</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref H1956</td>
<td>No</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>HO110</td>
<td>Former Shire Hall 49 Watton Street, Werribee The heritage place is the whole building excluding recent additions to the rear.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO111</td>
<td>Milk Bar and Bolero Cards and Gifts 63-65 Watton Street, Werribee The heritage place is the shop plus some internal features, in particular the strong room at 63 Watton Street.</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO112</td>
<td>Commercial Hotel 101-111 Watton Street, Werribee</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>PS map ref</td>
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<tr>
<td>HO113</td>
<td>Bridge Hotel</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>197-199 Watton Street, Werribee</td>
<td></td>
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<tr>
<td></td>
<td>The heritage place is the 1926 hotel, excluding the drive in bottle shop and other recent additions.</td>
<td></td>
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</tr>
<tr>
<td>HO114</td>
<td>Silver Birches, 211 Watton Street, Werribee.</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Tree controls apply to Norfolk Pines.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>HO115</td>
<td>Masonic Centre, 223 Watton Street, Werribee.</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO116</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>23-25 Wedge Street South, Werribee</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>The heritage place is the house.</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO117</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>36 Wedge Street, Werribee</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>The heritage place is the house and fence.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>HO118</td>
<td>Rockleigh</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>111 Werribee Street, Werribee</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>The heritage place is the house only.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>HO119</td>
<td>Skeleton Creek Water Reserve and Water Holes Pt CA 3 Sec 15 Psh Truganina Woods Road, Truganina</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>The heritage place is the hotel.</td>
<td></td>
<td></td>
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<tr>
<td>HO121</td>
<td>McNaughton Reserve 95-109 You Yangs Road, Little River</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
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<tr>
<td>HO122</td>
<td>Grant Bridge You Yangs Road, Little River</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
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<tr>
<td>HO123</td>
<td>St Michael’s Catholic Church 1-3 You Yangs Road, Little River</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO124</td>
<td>Little River Recreation Reserve 15-31 You Yangs Road, Little River</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO125</td>
<td>Truganina ARP Hall Woods Road, Truganina</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tbody>
</table>
| HO126     | Truganina Settlement Oak Tree  
Cnr Doherty's & Woods Roads, Truganina  
The heritage place is the oak tree. | No                             | No                                | Yes                 | No                                           | No                                           | No                          | No                                            | No                        |
| HO127     | St Andrews Primary School  
110-112 Greaves Street, Werribee  
The heritage place is the original red brick building on the corner of Greaves and Stawell Streets. | No                             | No                                | No                  | No                                           | No                                           | No                          | No                                            | No                        |
| HO128     | Former Convent of St Joseph of the Sacred Heart  
31-39 Mortimer Street, Werribee  
The heritage place is the large single storey brick complex and surrounds. | No                             | No                                | No                  | No                                           | No                                           | Yes                         | No                                            | No                        |
| HO129     | Carroll House (Toowoomba)  
32 River Street, Little River  
The heritage place is the entire site excluding the recent lean to addition to the dwelling. | No                             | No                                | No                  | No                                           | No                                           | No                          | No                                            | No                        |
| HO130     | Little River Farmers Common Stone Walls  
The heritage place is the dry stone walls either side of Edgars Road, Little River, and walls extending perpendicular for 100 metres either side and along Narraburra Road, McPhersons Road and Bulban Road. | No                             | No                                | No                  | Yes                                          | No                                           | No                          | No                                            | No                        |
<p>| HO131     | Wesleyan Chapel Site | No                             | No                                | No                  | Yes                                          | No                                           | No                          | No                                            | No                        |</p>
<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO132</td>
<td>Ballan Road Walls, Werribee</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO133</td>
<td>Old Melbourne Road Walls</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Little River Road, Little River between Old Melbourne Road and the Princes Freeway</td>
<td></td>
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<tr>
<td></td>
<td>The heritage place is the dry stone walls along both sides of Little River Road/Old Melbourne Road.</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO134</td>
<td>A and B ranked dry stone walls</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO135</td>
<td>Little River Farmers Common South</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>The heritage place is dry stone walls on Flinders Street, Rothwell Road and McLeans Road in the Little River township, to the south of the Melbourne-Geelong railway line</td>
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</table>
DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which are affected by specific requirements relating to the design and built form of new development.

Design objectives

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

Buildings and works

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.

- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- An outdoor swimming pool.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

Class of application

<table>
<thead>
<tr>
<th>Description</th>
<th>Clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
<td>59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</td>
<td>59.05</td>
</tr>
</tbody>
</table>

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Subdivision

Permit requirement

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required. Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay. A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application

<table>
<thead>
<tr>
<th>Description</th>
<th>Clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>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>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>59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.

- The subdivision does not create a vacant lot.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1.

PRINCES HIGHWAY CORRIDOR

1.0

Design objective

To maintain and enhance the existing Princes Highway streetscape, particularly the boulevard character by the:

- Provision of gateway treatments to Morris Road, Hoppers Lane and Derrimut Road;
- Setting of design standards for new development;
- Protection of vegetation on both public and private property;
- Requirement of enhanced planting on both public and private land;
- Provision of minimum setbacks for new development;
- Construction of service roads to the Princes Highway; and
- Minimisation of access point to the Princes Highway.

2.0

Buildings and works

A permit is required to remove, destroy or lop any vegetation, and to construct a fence over one (1) metre high. The permit requirements of this overlay do not apply to the development of land for a single detached dwelling in the General Residential Zone.

All buildings and works that require a permit under this overlay should comply with the following standards unless it can be demonstrated that an alternative approach achieves the design objectives of this control:

- All façades of all buildings visible from the Princes Highway should be constructed of timber, glass, brick or concrete. Any buildings or works as described above should be painted and treated to the satisfaction of the Responsible Authority.
- For land on the southern side of the Princes Highway, buildings should be setback a minimum of 30 metres from the road reserve boundary.
- All driveways and car parking areas should be constructed of an impervious all weather seal coat such as concrete or bitumen;
- Open storage areas and garbage receptacles should not be visible from the Princes Highway.
- Any removal, destruction or lopping of vegetation should not destroy the integrity of the boulevard visual effect and should not adversely affect the amenity of the area. Tree planting on the road reserve and on private land should be consistent with the Princes Highway, Werribee Urban Design and Landscaping Protection Plan (June 1998).
- New buildings and works on the southern side of the Princes Highway, and to the east of Wattle Avenue should be constructed such that there is no direct access onto the Princes Highway. Any new development should make provision for service road access onto the Princes Highway.
- Any construction of a building or carrying out of works, including fencing over one (1) metre high should be consistent with the objectives and recommendations of the Princes Highway, Werribee Urban Design and Landscaping Protection Plan (June 1998) to the satisfaction of the Responsible Authority.

3.0

Decision guidelines

In consideration of the above, the responsible authority must consider, as appropriate:

- The design objectives of the schedule to the overlay.
- The impact of the development on the existing amenity and streetscape of the Princes Highway being a major gateway.
- The existing character of the Princes Highway corridor.
- The appearance of the proposed development.
- The design and layout of the proposed development including setbacks from property boundaries.
- The type and colour of building materials to be used and the proposed landscape treatment.
- The purpose of any vegetation removal and methods to replace removed vegetation.
- The need to retain vegetation which contributes to the boulevard character of the Princes Highway.
- The need to apply conditions requiring the developer to contribute to the construction of a service road.
- The need to apply conditions requiring the developer to provide for the enhancement of landscaping on the road reserve.
- The effect of advertising on the character of the Princes Highway.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2

WESTERN GARDENS LIGHT INDUSTRIAL AREA

1.0

Design objective

To ensure that the standard of development in the Western Gardens Light Industrial Area is of a high quality given its strategic location and high exposure in relation to the Princes Freeway and Skeleton Creek. This area is also located at the entrance to Wyndham from the east.

2.0

Buildings and works

No permit is required for works associated with a road within the Residential 1 Zone, Urban Floodway Zone, and Industrial 3 Zone, and Public Acquisition Overlay required for the Palmers Road extension between Dunnings Road and the Melbourne to Geelong Railway line, in Point Cook.

All buildings and works must comply with the following standards, unless it can be demonstrated that an alternative approach achieves the design objective of this overlay control.

- The facade of all buildings facing the Princes Freeway must be constructed of brick or concrete. All other facades must be constructed with brick or concrete to a minimum height of 2 metres above ground level. Concrete tilt slab buildings must be painted or treated to the satisfaction of the responsible authority.

- Open storage areas and garbage receptacles must not be visible from any road, reserve or other public land.

- In the case of lots facing the Princes Freeway all buildings must be set back at least 10 metres from the frontage. For all other lots buildings must be set back at least 5 metres from the frontage. For corner lots buildings must be set back at least 3 metres from the side street boundary.

- In the case of lots facing the Princes Freeway a landscaping strip of at least 10 metres wide must be provided along and within the frontage. For all other lots a 5 metre wide landscaping strip must be provided along and within the frontage. For all corner lots a landscaping strip of at least 3 metres wide must be provided along and within the side street boundary.

- In respect of lots backing onto the Skeleton Creek reserve all buildings shall be setback at least 3 metres from the creek reserve boundary and this setback shall be fully landscaped.

- All driveways and car parking areas must be constructed of an impervious all-weather seal coat such as concrete or bitumen.

- Site coverage must not exceed 60% of the overall site area.

All development must be designed and sited to the satisfaction of the responsible authority and must provide a high level of design quality and visual amenity.

3.0

Decision guidelines

In consideration of the above, the responsible authority must consider, as appropriate:

- The impact of the development on the amenity and streetscape of the area particularly having regard to the proximity of the Princes Freeway and Skeleton Creek.

- The appearance of the proposed development.

- The design and layout of the proposed development including setbacks from property boundaries.

- The type and colour of building materials to be used and the proposed landscape treatment.
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

OLD GEELONG ROAD INDUSTRIAL AREA

1.0 Design objective

To improve and enhance the Old Geelong Road streetscape by encouraging appropriate development adjacent to the road including the standard of fencing, landscaping, building setbacks and building facades.

2.0 Buildings and works

All buildings and works fronting Old Geelong Road must comply with the following standards, unless it can be demonstrated that an alternative approach achieves the design objective of this overlay control.

- The facade of all buildings facing Old Geelong Road must be constructed of brick or concrete. Concrete tilt slab buildings must be painted or treated to the satisfaction of the responsible authority.
- Open storage areas and garbage receptacles must not be visible from Old Geelong Road.
- All buildings must be set back at least 15 metres from the frontage and at least 3 metres from a side street boundary.
- A landscaping strip of at least 5 metres wide must be provided along and within the frontage and at least 3 metres wide along and within a side street boundary.
- All driveways and car parking areas must be constructed of an impervious all-weather seal coat such as concrete or bitumen.

All development must be designed and sited to the satisfaction of the responsible authority and must provide a high level of design quality and visual amenity.

3.0 Decision guidelines

In consideration of the above, the responsible authority must consider, as appropriate:

- The impact of the development on the amenity and streetscape of Old Geelong Road being a major gateway into Hoppers Crossing.
- The appearance of the proposed development.
- The design and layout of the proposed development including setbacks from property boundaries.
- The type and colour of building materials to be used and the proposed landscape treatment.
SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the Planning Scheme Map as DDO4.

Eynesbury Station Rural Area

1.0 Design Objectives
To ensure that the rural areas of Eynesbury Station are managed and developed to maintain and enhance agricultural productivity.
To ensure any subdivision or dwelling approval only occurs where a demonstrated need is established in relation to an agricultural purpose and activity.

2.0 Buildings and Works
Permission is not required to construct a building or construct or carry out works except for a dwelling.
Buildings and works for a dwelling may only be approved where a need is demonstrated that it is required to facilitate the agricultural use and development of the land.
A dwelling must be sited and designed and include appropriate landscape treatments to minimise its impact on the visual amenity of the area.
Buildings and works for a dwelling is exempt from the notice requirements of Section 52(1)(a), 9b) and (d), the decision requirements of Section 60(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

3.0 Subdivision
Any proposed subdivision must be in association with an agricultural or related rural purpose.

4.0 Advertising Signs
None specified.

5.0 Decision Guidelines
In consideration of proposals for a dwelling or subdivision the Responsible Authority must consider as appropriate:
- The objectives and relevant details of the Eynesbury Station Incorporated Plan, September 2001.
- The desire to enhance and diversify agricultural productivity in the area.
- The need to protect areas of environmental significance and undertake appropriate weed, pest and related management programs.
- Minimising the visual impact of development within the rural landscape.
SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5

TARNEIT WEST NEIGHBOURHOOD ACTIVITY CENTRE

1.0 Design objectives

The objectives of this Schedule are to ensure that the development:

- has regard to the amenity of nearby residential areas
- contributes to a high-quality streetscape and neighbourhood character
- facilitates a range of public access opportunities for the site

2.0 Buildings and works

All buildings and works should:

- have regard to the different interface constraints adjoining the site;
- activate the frontages of buildings addressing adjoining streets or roads where appropriate;
- include landscaping, pedestrian/cycle pathways to building entrances, and water sensitive urban design features within carparking areas;
- include weather protection at appropriate locations across the frontages to the building. These areas should include appropriate items of public amenity such as seating, bicycle hoops, rubbish bins, and plantings;
- activate public entrances to buildings. Design strategies might include widened pavement around entry points, location of shops near entries points, and appropriate aesthetic treatments;
- provide for acoustic fencing along residential boundaries.

Any application for a planning permit must be accompanied by the following information:

- an Integrated Transport Plan which shows various forms of access to and from the site, and into the site. This should provide not only for private vehicles, but also for access via public transport, walking and cycling;
- a streetscape/viewshed analysis that addresses height, building scale, integration of built form, carparking and landscaping;

3.0 Decision guidelines

In addition to the above, the responsible authority must consider as appropriate:

- Activity Centre Design Guidelines (Department of Sustainability and Environment 2005)
- Safer Design Guidelines (Department of Sustainability and Environment 2005)
SCHEDULE 6 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO6.

ALAMANDA MIXED USE PRECINCT

This Schedule applies to land within the Alamanda Estate on the south side of Sneydes Road, Point Cook

1.0 Design objectives

This Schedule aims to ensure that development:

- incorporates an integrated, mixed use format
- has regard to and complements the existing and planned adjoining land uses
- has regard to the amenity of nearby residential areas
- contributes to a high-quality streetscape and neighbourhood character
- facilitates a range of public access opportunities
- properly considers and integrates provision for the public and private realms

2.0 Requirements for planning applications

Applications for a planning permit for use and/or development should be accompanied by, where appropriate:

- A Streetscape/Viewshed Analysis that addresses height, building scale, and the integration of built form, carparking and landscaping;
- Context Plans that consider relationships between adjoining uses and developments and proposed developments;
- A Traffic Management Plan that addresses traffic movements, traffic management measures, and parking requirements and provisions;
- A Landscape Plan;
- A Schedule of external materials.

3.0 Buildings and works

All Buildings and Works should:

- Utilise design strategies that encourage an appropriate integration of uses;
- Appropriately balance amenity between public and private spaces;
- Have regard to specific interface constraints and opportunities;
- Activate frontages where buildings address adjoining streets or roads;
- Provide landscaping and legible access treatments around building entrances;
- Provide water sensitive urban design features where appropriate;

In addition to the above, Non-Residential Development should:

- Be designed to allow for active public entrances to buildings. This might include appropriate entrance orientation, size and treatment of pavement around entry points, and aesthetic treatments;
- Provide for acoustic treatments to reduce noise levels where a development abuts a residential use;
- Include weather protection at the frontage to buildings. These areas might include items of public amenity such as seating, bicycle hoops, rubbish bins, and plantings;
- Screening of waste collection and open storage areas from residential areas, public streets and reserves.

In addition to the above, Residential Development should:
- provide medium density housing types;
- provide passive surveillance to adjoining streets or reserves;
- articulate facades towards adjoining streets or reserves;
- provide visitor parking within appropriate access to dwellings.

**Decision guidelines**

In addition to the above, the responsible authority must consider as appropriate:

- Activity Centre Design Guidelines (Department of Sustainability and Environment 2005)
- Safer Design Guidelines (Department of Sustainability and Environment 2005)
SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO7.

FEATHERBROOK NEIGHBOURHOOD ACTIVITY CENTRE

1.0

Design objective

This Schedule aims to ensure that development:

- Is internally integrated, with a well-planned relationship between business premises;
- Has regard to and complements the existing and planned adjoining land uses;
- Has regard to the amenity of nearby residential areas;
- Contributes to a high-quality streetscape and neighbourhood character;
- Facilitates safe public access; and
- Ensures that the Neighbourhood Activity Centre functions as a key component of the Featherbrook Village Precinct.

2.0

Requirements for planning applications

Applications for a planning permit for use and/or development should be accompanied by, where appropriate, the following accompanying plan and/or information:

- A Streetscape/Viewshed Analysis that addresses height, building scale, and the integration of built form, car parking and landscaping;
- Context plans that have regard to, and complement, the relationship between adjoining uses and developments and proposed developments;
- A Traffic Management Report that addresses traffic movements, traffic management measures, and parking requirements and provisions, proposed bicycle parking provisions and any potential impact on public transport operations including proposals to relocate bus stops and change in road design;
- A Car Park Management Plan detailing management of trolleys, hours of operation and internal management of carpark areas;
- A Loading and Waste Collection Management Plan which details compliance with relevant EPA Guidelines and the hours for deliveries and collections;
- An Integrated Landscape Plan for the overall commercial centre;
- An Acoustic Report demonstrating compliance with SEPP-N1, relevant EPA Guidelines, detailing acoustic barriers and other measures to protect residential amenity;
- An integrated signage plan for the centre, for the indicative size and location of signage;
- A schedule of external materials and finishes.

3.0

Buildings and works

All buildings and works should:

- Appropriately balance amenity between public and private spaces;
- Have regard to specific interface constraints and opportunities;
- Provide activate frontages where buildings address car parking areas, main roads and, subject to neighbourhood amenity considerations, also to adjoining roads;
- Include landscaping;
- Provide legible access treatments around building entrances and to existing pedestrian and bicycle networks and public transport stops in accordance with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002, including weather protection at the frontage to buildings as appropriate;
- Provide seating, bicycle hoops and rubbish bins as appropriate;
- Provide for acoustic treatments to reduce noise levels, supplemented by screen planting to reduce visual impacts of acoustic treatments, where a development abuts a residential use;
- Screen waste collection and open storage areas from residential areas, public streets and/or reserves;
- Provide water sensitive urban design features where appropriate;
- Provide an appropriate interface with an affected residential use;
- Manage light glare from proposed buildings; and
- Provide for baffled lighting throughout the development.

4.0
07/02/2013
C137

Decision guidelines

In addition to the above, the responsible authority must consider as appropriate:
- Activity Centre Design Guidelines (Department of Sustainability and Environment 2005).
- Safer Design Guidelines (Department of Sustainability and Environment 2005).
- The views of Public Transport Victoria on any applications for subdivision and/or buildings and works that propose any changes to:
  - Road design and intersection treatments;
  - The location of vehicle access and egress from Sneydes Road and Boardwalk Boulevard; and
  - Bus infrastructure including the location of bus stops.
SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8.

CNR SAYERS AND FORSYTH ROADS, WILLIAMS LANDING

1.0 30/05/2013  C164

Design objectives

That all new development:

- Has regard to and complements the existing and planned adjoining land uses.
- Has regard to the amenity of nearby residential areas.
- Provides complementary landscaping and contributes to a high quality streetscape and neighbourhood character.
- Is of a high standard of architectural and urban design.
- Restricts direct access from Forsyth Road.

2.0 23/07/2015  C141

Buildings and works

A planning permit is required to construct a fence.

All buildings and works should:

- Use strong architectural treatments to facades along Forsyth Road and Gadwell Crescent, including some glazing elements.
- Include weather protection at appropriate locations and encourage the appropriate items of public amenity such as seating, bicycle hoops, rubbish bins and plantings.
- Avoid blank walls along the street frontages.
- Demonstrate the use of graffiti prevention measures in the design.
- Include landscape setbacks on Sayers Road and Gadwell Crescent to match and complement the adjoining and adjacent commercial development.
- Include a minimum 3 metre landscaped setback from Forsyth Road.
- Encourage vehicle access via the existing carriageway easement from the eastern adjoining land and restrict access direct from Forsyth Road.
- Minimise extensive areas of hard stand areas for the car park by providing landscaping and the provision of screen trees throughout.
- Ensure that loading bays and waste collection points are screened from public view, and integrated into the development having regard to residential and arterial interfaces.
- Nominate areas on the facade for business identification signage to each premises to create a consistent theme.
- Provide water sensitive urban design features where appropriate.
SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO10.

REGIONAL RAIL LINK SECTION 2 RAIL NOISE ATTENUATION

1.0 Design objectives
To reasonably protect bedrooms from the impacts of noise generated by the operation of trains on land designated as the project area for Regional Rail Link Section 2 under Part 4 of the Major Transport Projects Facilitation Act 2009.

2.0 Buildings and works

Permits
A permit is not required to construct a building or construct or carry out works other than for:

- Accommodation, a child care centre, a display home, a hospital, a hotel or a tavern.
- An acoustic wall or other acoustic structure that is not part of a building.

A permit is not required to construct a building or construct or carry out works for accommodation, a child care centre, a display home, a hospital, a hotel or a tavern if there is a restriction on the title to the land requiring compliance with the requirement described below.

Requirement
If a building includes a bedroom, the building (and associated works) must be constructed in such a way as to ensure internal bedroom noise levels will not exceed 65 dB $L_{An,max}$ and 40 dB $L_{Anq,8h}$ for the night period from 10pm to 6am.

A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement.

Exemption from notice and review
An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the noise attenuation measures are proposed as part of the affected building.

3.0 Subdivision

Requirement
A permit to subdivide land must require a restriction on titles requiring buildings (and associated works) for accommodation, a child care centre, a display home, a hospital, a hotel or a tavern to be constructed in such a way as to ensure internal bedroom noise levels will not exceed 65 dB $L_{An,max}$ and 40 dB $L_{Anq,8h}$ for the night period from 10pm to 6am. The restriction may include specific construction requirements to the satisfaction of the responsible authority.

A permit may not be granted to subdivide land which is not in accordance with this requirement.

Exemption from notice and review
An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.
Application requirements

An application to subdivide land or to construct a building or construct or carry out works must be accompanied by an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority. The acoustic assessment must:

- Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the ongoing operation of the Regional Rail Link.
- Include recommendations for noise attenuation measures designed to achieve the internal bedroom noise limits specified in the requirements in this schedule.

An application to subdivide land must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.

An application to construct, or carry out works for, an acoustic wall or other acoustic structure that is not part of a building must also be accompanied by a plan, elevations and other suitable material prepared to the satisfaction of the responsible authority showing:

- A visually engaging design avoiding the use of a sheer wall on either side of the structure.
- Landscaping along the interface area of the structure to soften its visual impact.

Decision guidelines

Before deciding on an application to subdivide land or to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- Any protection from noise offered by existing and planned built form.
- The degree of noise sensitivity of the proposed use in the building.
- Whether the proposed noise attenuation measures are likely to be effectively maintained over the lifetime of the building or structure.
- The impact of any non-building acoustic structure on the amenity of the area.
- The impact of the subdivision on the amenity and functionality of the area.

Notes: The extent of the Design and Development Overlay represents land likely to be affected by rail noise of at least 80 dB $L_{A_{\text{max}}}$.

Reference in this schedule to:

- A bedroom means a room likely to accommodate a sleeping person on a regular basis including a children’s rest area in a child care centre, a hotel room and a hospital ward.
- $dB$ means decibels.
- $L_{A_{\text{max}}}$ means the maximum $A$-weighted sound pressure level and is the 95 percentile of the highest value of the $A$-weighted sound pressure level reached within the day or night.
- $L_{A_{eq}}$ means the equivalent continuous $A$-weighted sound pressure level and is the value of the $A$-weighted sound pressure level of a continuous steady sound that has the same acoustic energy as a given time-varying $A$-weighted sound pressure level when determined over the same measurement time interval.

Reference: Passenger Rail Infrastructure Noise Policy (Department of Transport, Planning and Local Infrastructure, April 2013)
SCHEDULE 11 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO11.

BOUNDARY ROAD OFFICE & INDUSTRIAL PRECINCT

1.0

Design objectives

- To ensure that the Boundary Road Office and Industrial Precinct will be a high quality precinct with industries that share a desire to conduct business in a community with high functionality and urban design standards.

- To enhance the visual and landscaping image of industrial and business areas, gateways and transport routes.

- To ensure that the visual impact of car parking and loading facilities is minimised on main roads, prominent corner sites and lots facing residential areas and creeks.

- To encourage finer grain development around the Kenning Road Town Centre.

- To minimise land use conflicts and protect amenity between commercial and industrial land, and sensitive creek and residential interfaces.

- To respect residential interfaces and ensure that development has regard to the amenity of nearby residential areas.

2.0

Buildings and works

A permit is required to construct a fence.

The following application requirements apply to an application for a planning permit, where appropriate:

- A Streetscape/Viewshed analysis that addresses height, building scale, and the integration of built form, car parking and landscaping.

- Context plans that have regard to the relationship between adjoining uses and developments and proposed developments.

- A Traffic Management Report that addresses traffic movements, traffic management measures and parking requirements and provisions, bicycle parking provisions and pedestrian and vehicle circulation.

- A Loading and Waste Collection Management Plan which details compliance with relevant EPA Guidelines and the hours for deliveries and collections.

- An Acoustic Report demonstrating compliance with SEPP-N1, relevant EPA Guidelines, detailing acoustic barriers and other measures to protect residential amenity.

- An integrated Signage Plan including the indicative size and location of signage.

- A schedule of external materials and finishes.

- A Sustainable Design Assessment and Management Plan.

- A Lighting Plan, which provides location and details of external lighting.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Siting

New development should be sited to:

- Clearly address the front street boundary (or boundaries).

- Be consistent and reinforce a cohesive and defined streetscape presentation.
• Provide an active interface or edge to the creek corridor.

• Provide main pedestrian entrances to buildings directly accessible from the street, and clearly visible.

• Provide zero metre setback from Tarneit Road.

**Building height**

New development should provide a transition in building height from main roads to lower heights at sensitive interfaces. Recommended building height ranges:

• Boundary Road / major road frontages: 12–18 metres.

• Collector / local road frontages: 9–12 metres.

• Residential interfaces: 9 metres.

• Creek interfaces: 9 metres.

Architectural features/plant and equipment may exceed the height limits above.

**Design**

• New development should be contemporary in expression and should utilise a mix of materials and colours particularly within the visible facades, to provide articulation to the buildings and visual interest to the street.

• Buildings at key gateway sites (intersections where viewlines along streets terminate) should create a focal point and use high quality architecture and incorporate elements of the landscape where possible.

• The design and layout of the development should maximise access, safety and amenity for pedestrians on site and from the public realm.

**Landscaping**

• Landscaping should be hardy, have low water requirements, be low maintenance, and use indigenous vegetation (which are not known to be environmental weeds or invasive species).

• Development should be designed to incorporate the following recommended landscape setbacks (ground floor level):
  - Boundary Road / major road frontages: 6-10 metres;
  - Collector / local road frontages: 3-6 metres; and
  - Side setbacks (to adjoining lots): 2-4 metres.

• Where industrial or business sites share a boundary with residential properties, provide a minimum landscape setback of 6 metres from the adjoining boundary to vehicle movement or parking areas.

• Encourage the integration of small, communal or publicly accessible outdoor spaces on development sites and adjacent to the existing creek, and designed and located to encourage informal, passive recreational use.

• Large sites or multiple-building developments should incorporate pedestrian pathways and linkages, including along waterway and drainage reserves, to other parts of the development area, focusing on key destinations such as the town centre and public open spaces.

**Fencing**

Fencing should be designed to:

• Maintain clear views of the building entrance to allow for passive surveillance of public spaces.

• Be semi-transparent and low scale and black poly-coated.
Interfaces

- Uses that are likely to have a visual, acoustic or other amenity impact on residential areas or uses that occur after working hours (i.e. night time operations) should provide satisfactory visual or acoustic screening within the property boundary where required.

Services

- An area on the subject land should be set aside for the purpose of a waste disposal/collection bin(s).
- Waste collection/utilities/plant/infrastructure should not be visible from the public realm.
- Mechanical ventilation systems should be located behind the building line and incorporated into the building where possible.

Car parking, vehicle access and loading

A new development should be planned to achieve the following:

- Car parking and loading facilities to the side or rear of any buildings, with limited visitor parking incorporated in frontage areas.
- Encourage shared parking areas for large developments.
- Include trees spaced evenly throughout the car park at a ratio of 1 every 6 bays.
- Clear pedestrian paths that are separated from main vehicle access ways.
- Minimisation of vehicle crossovers.
- Loading and servicing should generally be located away/out of view from street, residential interface or creek/public realm interface.

Environmentally Sustainable Design

Infrastructure design and delivery and new development should encapsulate best practice sustainability principles, with consideration and integration of:

- passive solar design
- rainwater harvesting
- on-site and/or precinct-wide energy generation systems, and
- Water Sensitive Urban Design components.

For the purposes of this guideline ‘best practice’ is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

Lighting

- Subtle lighting of buildings from outside is encouraged, to enhance visual effects, access and legibility at night.
- Lighting is to be designed to avoid light spill onto neighbouring properties and landscapes.

Signage

- Signage panels should be incorporated into the building façade at design stage.
- Co-location of signage of multiple occupancies is encouraged in order to reduce clutter.
- Signage should not be located on fences.
3.0 Subdivision
None specified.

4.0 Advertising signs
A permit is required to display a sign, except for directional signs.

5.0 Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the subdivision will allow for future infrastructure provision, particularly the construction of a service lane for vehicle access.
- The impacts of the proposed development on the road network.
- Safer Design Guidelines (Department of Sustainability and Environment 2005).
INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require:

- The form and conditions of future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.
- A planning scheme amendment before the incorporated plan can be changed.

To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until an incorporated plan has been incorporated into this scheme.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme.

A permit granted must:

- Be generally in accordance with the incorporated plan, unless a schedule to this overlay specifies otherwise.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review

An application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application under any provision of this scheme which is not generally in accordance with the incorporated plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The incorporated plan.
- Any other matters specified in a schedule to this overlay.

Preparation of the incorporated plan

The incorporated plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

An incorporated plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The incorporated plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.
SCHEDULE 1 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO1.

EYNESBURY STATION

1.0 Requirement before a permit is granted

Prior to the commencement of development in accordance with the Eynesbury Station Incorporated Plan:

- Consolidation of Eynesbury Station into three key holdings:
  - the Eynesbury Station Township Precinct;
  - the Eynesbury Station Grey Box Forest Area; and
  - all other land within Eynesbury Station except for the Eynesbury Station Township Precinct and the Eynesbury Station Grey Box Forest Area.

- Creation of an unlimited body corporate established under the Subdivision Act 1988 to include land covered by the relevant Incorporated Plan Overlay in both the Melton and Wyndham Planning Schemes.

- Preparation of Environmental Management Strategies as required by the Eynesbury Station Incorporated Plan, September 2001 to the satisfaction of the Responsible Authority. The Environmental Management Strategies for Flora and fauna protection and enhancement; and Control of pest plants and animals must also be to the satisfaction of the Department of Natural Resources and Environment.

- Preparation of legal strategies as required by the Eynesbury Station Incorporated Plan, September 2001 to the satisfaction of the Responsible Authority.

2.0 Permits not generally in accordance with the Incorporated Plan

A permit may be granted for the following uses and developments that are not generally in accordance with the Incorporated Plan:

- Agriculture and any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Extensions, additions or modifications to any existing use or development.

3.0 Conditions and requirements for permits

None specified

4.0 Decision Guidelines

Before deciding on an application, the Responsible Authority must consider, as appropriate the implementation of strategies to achieve;

- Linkages between urban/recreation development and the farming/agricultural improvements.
- On-going environmental management of Eynesbury Station.
- Any subdivision of land in the Rural Zone must demonstrate agricultural and environmental benefits.

5.0 Requirements for Incorporated Plan

Any Incorporated Plan for the whole or part of Eynesbury Station shall address the following:
• The integrated environmental management of Eynesbury Station.
• The continued use of the bulk of Eynesbury Station for productive agriculture.
• The use and reuse of water from Surbiton Park Treatment Plant.
• The maintenance and improvement of water quality of Werribee River.
• The protection and enhancement of the environmental and heritage assets of Eynesbury Station.
SCHEDULE 2 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO2.

BLACK FOREST ROAD SOUTH PRECINCT STRUCTURE PLAN

Purpose

To conserve parts of Lollypop Creek and Black Swamp for functioning, sustainable populations of Growling Grass Frog.

To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

To implement the Black Forest Road South Precinct Structure Plan.

1.0 Requirements before a permit is granted

A permit granted must be generally in accordance with the Black Forest Road South Precinct Structure Plan unless otherwise agreed in writing by the Department of Environment and Primary Industries (DEPI).

An application which includes construction of a road or pedestrian bridge within the area on Plan 2 – Future Urban Structure within the Black Forest Road South Precinct Structure Plan as ‘Encumbered Land for Conservation’ must be accompanied by an Environmental Assessment Plan which addresses the following:

- A detailed environmental assessment to inform the alignment of any proposed road or pedestrian crossing of the Growling Grass Frog Category 1 habitat. The Environmental Assessment must show the location of all bridge footings and impacts of the siting and construction works to the satisfaction of the DEPI.
  - A planning permit application on land containing or abutting the Lollypop Creek Corridor or its tributaries and environs must be accompanied by a plan that shows:

  - Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance.

  - Recreation facilities to be provided within public open space.

  - Stormwater facilities that are compliant with the relevant approved drainage strategy.

  - The retention and removal of vegetation and any revegetation.
    - This requirement may be waived by the responsible authority.

2.0 Conditions and requirements for permits

The conditions below must be applied to a permit for subdivision or buildings and works on land within the conservation area shown in the incorporated document unless the DEPI has confirmed in writing that the conditions have previously been met.

2.1 Construction of road or pedestrian bridge infrastructure in the conservation area

Any permit which would allow construction of a road or pedestrian bridge within the area on Plan 2 – Future Urban Structure within the Black Forest Road South Precinct Structure Plan as ‘Encumbered Land for Conservation’ must contain the following conditions unless otherwise agreed to in writing by the DEPI:

- Before any works associated with a road or pedestrian bridge crossing of the Growling Grass Frog conservation area start, a Construction Environmental Management Plan must be prepared to the satisfaction of the DEPI and be approved by the responsible authority.
• The Construction Environmental Management Plan must include:
  - Overall environmental objectives for construction and techniques for achieving the environmental objectives.
  - Construction timing and management techniques to protect environmental values before, during and after construction.
  - Management of construction impacts on habitat types present in the work zone
  - Proposed monitoring systems.
  - Identification of possible risks of operational failure and response measures to be implemented.
  - Day to day management requirements for development works.

• The development must be conducted in accordance with the endorsed Construction Environmental Management Plan at all times. All actions specified in the endorsed plan must be completed and/or implemented within the specified timeframes to the satisfaction of the responsible authority and the DEPI.

2.2 15/08/2013 C169

Securing the conservation area

Any permit granted for subdivision that will impact on land that includes ‘Area for Growling Grass Frog Category 1 habitat’ as identified in Plan 6 – Threatened Species Action Plan of the Black Forest Road South Precinct Structure Plan must contain the following conditions unless otherwise agreed to in writing by the DEPI:

• Unless the land included within the ‘Area for Growling Grass Frog Category 1 habitat’ identified on Plan 6 – Threatened Species Action Plan of the Black Forest Road South Precinct Structure Plan has been voluntarily transferred into the Crown Reserve System, the Owner must enter into a legally binding, in perpetuity, on-title agreement with the Secretary to the DEPI under Section 69 of the Conservation Forests and Lands Act 1987 prior to the commencement of works on the land unless otherwise agreed to in writing by the DEPI. The agreement must provide for the protection of the conservation area.
  - The landowner must pay the reasonable costs of preparation, execution and registration of the agreement.

2.3 15/08/2013 C169

Salvage, translocation and compensatory fees associated with the removal of native vegetation and habitat

A permit for subdivision, or to construct a building or construct or carry out works must contain the following condition:

• The Protocol for the Salvage Translocation of Threatened Species in Melbourne's Growth Corridors (Department of Sustainability and Environment, 2012) must be implemented to the satisfaction of the DEPI.

2.4 15/08/2013 C169

Decision guidelines

Any endorsed program report applying to the land under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (Cmwlth).
SCHEDULE 3 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO3.

BALLAN ROAD PRECINCT STRUCTURE PLAN, WESTBROOK PRECINCT STRUCTURE PLAN & RIVERDALE PRECINCT STRUCTURE PLAN

Purpose
To conserve parts of the Werribee River and Davis Creek for functioning, sustainable populations of Growling Grass Frog.

To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

1.0

General accordance with incorporated plans
A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Department of Environment and Primary Industries.

2.0

Conditions and requirements for permits
The conditions and requirements of the incorporated plans must be included in a permit.

3.0

Decision guidelines
Any endorsed program report applying to the land under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).
SCHEDULE 4 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO4.

TRUGANINA PRECINCT STRUCTURE PLAN & RIVERDALE PRECINCT STRUCTURE PLAN

Purpose
To conserve land for matters of national environmental significance.
To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

1.0 General accordance with incorporated plans
A permit granted must be generally in accordance with the incorporated plan applying to the land unless otherwise agreed in writing by the Department of Environment and Primary Industries.

2.0 Conditions and requirements for permits
The conditions and requirements of the incorporated plan applying to the land must be included in a permit.

3.0 Decision guidelines
Any endorsed program report applying to the land under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).
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

TRUGANINA DEVELOPMENT PLAN

1.0

Requirement before a permit is granted

The development plan must be consistent with the Truganina Transitional Area Concept Plan and the Truganina Transitional Area Policy and show:

- The subdivision and development of land in stages including:
  - Stage 1 Initial Development Plan
  - initial lot layout
  - road reservation acquisitions
  - open space and required landscape buffers
  - other matters necessary to support the development
  - the lot layout must demonstrate an ability to be further subdivided in accordance with a detailed development plan for future development;
  - Stage 2 Detailed Development Plan
  - details of infrastructure including road reservations and notional future landuse intended for the ultimate subdivision of the land;
- Proposed road layout pattern having regard to the need to provide a movement network which provides safe and efficient internal and external access for vehicular traffic;
- Proposed lot layout having regard to the types of uses which are proposed or likely to develop, staging of subdivision and options for resubdivision;
- Provision for local service facilities;
- Provision of landscape setbacks to protect the function and amenity of main roads;
- Proposed uses of parts of the land;
- Existing and proposed vegetation and landscaping;
- Capacity and availability of water supply, sewerage, drainage, electricity and telecommunication services.

An initial development plan for the whole of the land may provide less detail than that for a part of the land having regard to the staging of development and the areas of the land proposed to be subdivided and developed.

Subdivision of the land must be in accordance with the development plan.

Any development plan may, from time to time, be amended or modified to the satisfaction of the responsible authority.

Conditions and requirements for permits

Prior to the grant of a permit for any use or development the responsible authority must consider whether the proposed use or development is appropriate having regard to the type and extent of services likely to be required for the use or development, the load which may be imposed on infrastructure and the availability and capacity of infrastructure services available or proposed.
Exemptions

An application for the use and development of land for a cemetery is exempt from the notice requirements of Section 52(1), (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, Business 5 zone, or land used or reserved for a hospital or school.
SCHEDULE 2 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO2.

FUTURE URBAN DEVELOPMENT AREAS

1.0

Conditions and requirements of permits

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- One dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.
- 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.

2.0

Requirement before a permit is granted

A Development Plan is required for each development cell as identified in the relevant Concept Plan.

Any Development Plan prepared under the provisions of this overlay must be prepared to the satisfaction of the responsible authority and must show:

- A clear indication of the location of all proposed land uses within the plan area.

- The proposed road layout pattern which:
  - Provides convenient internal and external access for residents;
  - Allows for the provision of public transport; and
  - Provides road links to surrounding areas.

- Proposed subdivision layout which:
  - Avoids lots backing onto waterways and public open space.
  - Provides convenient and safe pedestrian and bicycle networks including connections with designated public access along, within or adjoining waterway corridors.
  - Shows proposed lot layout, sizes and density which provide for a variety of housing types and for other compatible land uses.
  - Provides for lots oriented toward roads, public open space reserves and other public access areas.
  - Provides for adequate land for landscaping in road and public open space reserves.
  - Takes into account the topography of the land, particularly with regard to the provision of useable open space.
  - Provides well distributed local open space which is clearly visible and accessible to residents within the development area, and which is:
    - Located adjacent to a waterway corridor and any natural features which may exist on the site, including existing established vegetation, sites of flora and fauna/habitat value, or
    - Located on adjoining open space areas, and located with other features which may exist or be planned on the subject land including stormwater treatments, ornamental lakes, and significant archaeological or historical sites; or
Located within a waterway corridor subject to such a proposal being accompanied by an assessment which demonstrates that the open space will not compromise the environmental values of the waterway corridor.

Not within land set aside for the protection of identified environmental values of a site

- Where relevant, the provision for local shops and community facilities and any non-residential land use.
- The location of any major infrastructure easements that exist.
- Where appropriate, the provision of buffers from land used for industrial purposes.
- Sites of conservation, heritage and archaeological significance.
- Where appropriate, recognition of the impact of any aircraft noise impacts and identification of appropriate land uses within affected areas.

Where land contains or abuts a waterway, the following requirements also apply to Development Plans:

- Provision of an appropriate buffer to protect the identified values of a waterway corridor from negative impacts of urban development if such buffer has been determined based on the recommendations of the Environmental Assessment and Environmental Management Plan.
- Land abutting any identified buffer is to be used for construction of a road, landscaping, shared trail if required, public open space areas, estate entries and other similar public purposes.

Any approved Development Plan may be amended to the satisfaction of the responsible authority.

3.0 Requirements for Development Plan

- A Development Plan must be accompanied by and must address the recommendations of reports which identify the environmental, ecological, landscape, viewshed, archaeological, historical and cultural values and features of the site, including:
  - A Traffic Management Plan prepared by an appropriately qualified expert addressing: the impact of the development on the arterial and local road network; mitigation works required on the road network; funding responsibilities; connections to adjoining land; road hierarchy; cross sections; proposed traffic management devices; bicycle network; public transport routes and pedestrian links.
  - An Environmental Assessment of the land, including:
    - a flora and fauna survey, which identifies existing vegetation or habitat of international, national, state, regional or local significance required to be protected and enhanced in adjacent waterways or the subject site; and
    - an assessment of the need for an additional buffer to the waterway corridor between the environmental values identified and the development line to protect any environmental values found.

- An Environmental Management Plan to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority, indicating the measures to be adopted to protect, enhance and manage any identified environmental values. Environmental Assessments and Management Plans are to be prepared by a qualified consultant. Where species and habitats are covered by the Flora and Fauna Guarantee Act 1988 (Vic) or the Environment Protection and Biodiversity Conservation Act 199 (Cwth), Environmental Assessments are to be referred to the relevant Minister.

- An Archaeological Survey, to the satisfaction of Aboriginal Affairs Victoria and the Responsible Authority which will locate, record and assess Aboriginal sites and post-settlement places and objects of cultural and historical significance on the subject land, with representation from the
local Aboriginal community. The recommendations of the survey will guide the subdivision design to ensure any significant features are preserved, protected and enhanced by the subdivision layout and design and the findings of the assessment are implemented. Any heritage sites as identified in any applicable heritage overlay, heritage study, conservation policy and/or conservation plan.

- An Overall Drainage Management Plan for the whole of the site including any external catchments
- A Stormwater Management Plan detailing how stormwater will be collected and treated within the development, with particular emphasis on maintenance of pre-development (rural) flows and the removal of sediment, litter and other urban wastes from stormwater prior to its discharge to local watercourses. Stormwater treatments such as constructed wetlands are to be located on drainage lines outside the waterway corridor and away from natural wetlands. The Plan should demonstrate that the use of stormwater control structures (e.g. wetlands) will not adversely influence groundwater levels.
- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.
- The need for development abutting a waterway to incorporate appropriate design features such as the provision of appropriate setbacks, limiting height of buildings and the use of 50% transparent fencing along open space or waterway corridors.
- A Landscaping Concept Plan (for areas outside the waterway corridor to be transferred to public ownership) including:
  - street trees, understorey and ground planting, estate entries and plantings in other public areas to soften built form and enable a transition between riparian and other indigenous areas to exotic or groomed landscapes. The Plan should not use weed species known to colonise aquatic, wetland, riparian and farmland or rural ecosystems. The Plan should have regard to identified flora and fauna/habitat, archaeological, historical and cultural values within the subject site, and show how public open space is to be developed and managed.
  - planned passive recreation facilities (such as shared paths, seating, signage etc.) with an assessment of the appropriateness of their location in terms of the environmental values that are to be protected at the site and within the waterway corridor, inclusive of the views of Melbourne Water.
- A Construction Management and an Environmental Impact Mitigation Plan to control impacts during development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on the site. The Plan should include requirements to minimise generation of sediment on site and minimise the transport of sediment onto public roads and into drains and waterways.
- A preliminary soil assessment demonstrating the extent of any contaminated soils that may exist on the subject land, and if detected, a more detailed assessment outlining the location of the contaminated soil, the types of contaminants detected, strategies and procedures required to be undertaken to de-contaminate affected areas; and the identification of the extent of hazardous areas due to salinity.
- A site analysis and design response for the development plan demonstrating a response to site opportunities and constraints, with particular regard to:
  - Identified heritage assets;
  - The physical constraints of the site;
- Creation of a setback from a waterway corridor for construction of public access areas;
- Public open space requirements;
- Any policy or code for residential development and subdivision;
- The interface with adjoining uses and developments.
SCHEDULE 6 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO6.

DESIGNATED RESIDENTIAL GROWTH AREAS

1.0

Conditions and requirements of permits

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- One dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.
- 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.

2.0

Requirements before a permit is granted

A Development Plan prepared under the provisions of this overlay must be prepared to the satisfaction of the responsible authority.

A Development Plan must show:

- A clear indication of the location of all proposed land uses within the plan area.
- The proposed layout pattern which:-
  - Provides a convenient and safe internal road network;
  - Provides a convenient and safe pedestrian network;
  - Provides for public transport and encourages the use of public transport;
  - Provides convenient and safe pedestrian and road linkages to surrounding areas;
  - Provides for a variety of lot sizes and housing types, incorporating energy efficient design elements that maximise energy efficiency and minimise greenhouse gases.
  - Provides for other compatible land uses;
  - Does not provide lots backing onto public open space reserves and roads;
  - Provides a sensitive residential interface with adjoining residential land;
  - Provides for local shops and community facilities and any non-residential land use where appropriate;
  - Provides for adequate land for landscaping in road and public open space reserves.
  - Takes into account the topography of the land, particularly with regard to the provision of useable open space.
  - Identifies the location of any major infrastructure easements that exist;
  - Provides well distributed useable public open space (where required) which is:-
    - Clearly visible and accessible to residents within the subject site and from surrounding areas, providing a safe and convenient area to serve the recreational needs of future residents; and
    - located adjacent to a waterway corridor and any natural features which may exist on the site, including existing established vegetation, sites of flora and fauna/habitat value; or
• located adjoining open space areas, and located with other features which may exist or be planned on the subject land including stormwater treatments, ornamental lakes and archaeological or historical sites; or

• located within a waterway corridor subject to such a proposal being accompanied by an assessment which demonstrates that the open space will not compromise the environmental values of the waterway corridor.

• not land set aside for the protection of identified environmental values of the site.

The stages (if any) by which the development of the land is to proceed;
Where land contains or abuts a waterway, the following requirements also apply to Development Plans:

- Provision of an appropriate buffer to protect the identified values of the waterway corridor from negative impacts of urban development if such buffer has been determined based on the recommendations of the Environmental Assessment and Environmental Management Plan.

- Land abutting the waterway corridor or any identified buffer is to be used for construction of a road, landscaping, shared trail if required, public open space areas, estate entries and other similar public purposes.

Any approved Development Plan may be amended to the satisfaction of the responsible authority.

3.0 Requirements for Development Plan

A Development Plan must be accompanied by and must address the recommendations of reports which identify the environmental, ecological, landscape, archaeological, historical and cultural values and features of the site, including:-

- A Traffic Management Plan prepared by appropriately qualified experts addressing the impact of the development on the arterial and local road network; mitigation works required on the road network; funding responsibilities; connections to adjoining land; road hierarchy; cross sections; proposed traffic management devices; bicycle network; public transport routes and pedestrian links.

- The environmental, ecological, landscape, archaeological, historical and cultural values and features of the site, as identified in the following:-

  - An environmental assessment of the land, including

    - a flora and fauna survey, which identifies existing vegetation or habitat of international, national, state, regional or local significance required to be protected and enhanced in the adjacent waterway or on the subject site; and

    - the need for an additional buffer between the environmental values identified and the development line to protect any environmental values found.

  - An Environmental Management Plan to be to the satisfaction of Department of Sustainability and Environment and the Responsible Authority indicating the measures to be adopted to protect, enhance and manage any identified environmental values. Environmental Assessments and Management Plans are to be prepared by a qualified consultant. Where species and habitats are covered by the Flora and Fauna Guarantee Act 1988 (Vic) or the Environment Protection and Biodiversity Conservation Act 199 (Cth), Environmental Assessments are to be referred to the relevant Minister.

  - An archaeological survey to the satisfaction of Aboriginal Affairs Victoria and the Responsible Authority which will locate, record and assess Aboriginal sites and post-settlement places and objects of cultural and historical significance on the subject land, with representation from the local Aboriginal community. The recommendations of the
survey will guide the subdivision design to ensure any significant features are preserved, protected and enhanced by the subdivision layout and design and the findings of the assessment are implemented.

- An Overall Drainage Management Plan for the whole of the site including any external catchments.

- A Stormwater Management Plan detailing how stormwater will be collected and treated within the development, with particular emphasis on maintenance of pre-development (rural) flows and the removal of sediment, litter and other urban wastes from stormwater prior to its discharge to local watercourses. Stormwater treatments such as constructed wetlands are to be located on drainage lines outside the waterway corridor and away from natural wetlands. The Plan should demonstrate that the use of stormwater control structures (e.g., wetlands) will not adversely influence groundwater levels.

- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.

- The need for development abutting a waterway to incorporate appropriate design features such as the provision of appropriate setbacks, limiting height of buildings and the use of 50% transparent fencing along open space or waterway corridors.

- A Landscaping Concept Plan (for areas outside the waterway corridor to be transferred to public ownership) including:
  - street trees, understory and ground planting, estate entries and plantings in other public areas to soften built form and enable a transition between riparian and other indigenous areas to exotic or groomed landscapes. The Plan should not use weed species known to colonise aquatic, wetland, riparian and farmland or rural ecosystems. The Plan should have regard to identified flora and fauna/habitat, archaeological, historical and cultural values within the subject site, and show how public open space is to be developed and managed.
  - planned passive recreation facilities (such as shared paths, seating, signage etc.) with an assessment of the appropriateness of their location in terms of the environmental values that are to be protected at the site and within the waterway corridor, inclusive of the views of Melbourne Water

- An assessment of stormwater infrastructure facilities subject to them being appropriately located in terms of the environmental values that are to be protected at the site and within the waterway corridor inclusive of the views of Melbourne Water.

- A Construction Management and an Environmental Impact Mitigation Plan to control impacts during development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on the site. The Plan should include requirements to minimise generation of sediment on site and minimise the transport of sediment onto public roads and into drains and waterways.

- A preliminary soil assessment demonstrating the extent of any contaminated soils that may exist on the subject land, and if detected, a more detailed assessment outlining the location of the contaminated soil, the types of contaminants detected, strategies and procedures required to be undertaken to de-contaminate affected areas; and the identification of the extent of hazardous areas due to salinity.

- A site analysis and design response for the development plan demonstrating a response to the sites opportunities and constraints, with particular regard to:
Identified heritage assets;
The physical constraints of the site;
Creation of a setback from a waterway corridor for construction of public access areas;
Public open space requirements;
Any policy or code for residential development and subdivision;
The interface with adjoining uses and developments;

The design response should also show, where appropriate:
- The provision of buffers from land used for industrial purposes;
- The recognition of the impact of any aircraft noise and identification of appropriate land uses within the affected areas;
- The provision of physical infrastructure clearly demonstrating the ability to overcome any deficiency in water or sewerage supply;
- Recognition of any high noise sources and attenuation devices intended to be used.
- The need for financial or other contributions towards the provision of physical infrastructure, community and social facilities and services, transport infrastructure and services, and other matters as appropriate.
- Whether the proposals meets a high standard of urban and landscape design.
- Any applicable policy or code pertaining to residential development and subdivision.
- Where required to be undertaken, the comments received after the Development Plan has been through a process of public consultation;
- Any other matters which the Responsible Authority deems to be appropriate.
SCHEDULE 7 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO7.

EYNESBURY STATION

1.0

Requirement before a permit is granted

A development plan for the whole development plan overlay area as identified in the *Eynesbury Station Incorporated Plan, September 2001* is required. This plan may be prepared in part or as a whole.

Any development plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.

2.0

Conditions and requirements for permits

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority, for the following:

- Agriculture and any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing use or development.

3.0

Requirements for Development Plan

A development plan must show:

- All proposed land uses within the plan area.
- Proposed treatments of significant environmental, heritage and landscape features.
- Key access routes and linkages to surrounding region.
- Convenient and safe pedestrian, cycle and horse trail networks.
- The proposed staging of the development.
- The location and staging of community education, commercial, open space, and recreational facilities.
- Identification of relevant items of public infrastructure to be funded in the development by developer contributions.
- Application of the design philosophy, principles, objectives and particular provisions of the Eynesbury Station Incorporated Plan, September 2001.
- Implementation of relevant aspects of the environmental management strategies, management plans and legal strategies required by the *Eynesbury Station Incorporated Plan, September 2001.*
SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8

LINCOLN HEATH

Requirements before a permit is granted

Except with the consent of the responsible authority, a Development Plan is required for each development cell as identified in the relevant Concept Plan. Where no Concept Plan exists a Development Plan is required for each development site.

Any Development Plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.

A Development Plan must show:

A clear indication of the location of all proposed land uses within the plan area and their interrelationship with the proposed subdivision of the subject land.

The proposed road layout pattern which:

- Provides convenient internal and external access for residents;
- Allows for the provision of public transport; and
- Provides road links to surrounding areas.

Proposed subdivision layout which:

- Provides a wide variety of lot sizes and a wide range of densities allowing for a variety of housing types and for other compatible land uses;
- Avoids lots backing onto the Cunningham’s Swamp;
- Provides a sensitive residential interface with adjoining residential land, including the provision of similar lot sizes where new lots will back onto existing lots in surrounding residential areas.
- Takes into consideration the topography of the land, particularly with regard to the provision of useable open space.
- Takes into account the Melbourne 2030 neighbourhood principles.
- Provides an appropriately designed interface that is responsive to adjoining green wedge land.
- Seeks to achieve a development density of 15 lots per hectare on the net developable residential land. The net developable residential land excludes open space, schools, community facilities, roads, public utilities, drainage reserves and the like.

Provision of well distributed local open space which is not flood effected or constrained and is clearly visible and accessible to residents within the development area. Where appropriate, this open space is to be integrated with areas and corridors of natural interest and significance.

Where relevant, the provision for local shops and community facilities and any non-residential land use which are appropriately located and will integrate well with surrounding residential development and/or open spaces.

The location of any major infrastructure easements that exist.

A standard of development of the highest quality, building on the good level of residential development found in the neighbouring Lincoln Heath Estate.

Any approved Development Plan may be amended to the satisfaction of the Responsible Authority.

Decision Guidelines

A Development Plan must take into account the following:-
The environmental, ecological, landscape, archaeological, historical and cultural values and features of the site, as identified in the following:

- An archaeological survey, which will locate, record and assess Aboriginal sites and post-settlement places and objects of cultural and historical significance on the subject land. The recommendations of the survey will guide the subdivision design to ensure the findings of the survey are implemented and any significant features are preserved, protected and enhanced by the subdivision layout and design. The archaeological survey is to be to the satisfaction of the Aboriginal Affairs Victoria and the Responsible Planning Authority.

- Where residential development and other works are proposed north of the former irrigation channel and east of the former lot 7 (or western most paddock), subsurface testing will be required to ascertain the extent of any Aboriginal archaeological material contained within this area of archaeological sensitivity. This subsurface testing is to be to the satisfaction of Aboriginal Affairs Victoria and the Responsible Authority. Any identified sites of Aboriginal significance should be protected through the subdivision design. Where protection is not possible, consent under relevant legislation will be required prior to the commencement of any works.

- An environmental assessment of the land, involving a flora and fauna survey, which identifies existing vegetation required to be protected and enhanced in the subdivision design, and the preparation of a Management Plan to aid in the protection and management of any identified environmental assets. This environmental assessment is to be to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

The management plan required by this provision must:

- outline objectives for the management of future public open spaces;

- must have a focus on the protection and enhancement of native vegetation and ecological processes whilst providing for public use which is sympathetic with these objectives;

- address how remnant vegetation will be protected from informal access which may be detrimental to the long-term survival of that vegetation;

- include an assessment of any significant trees outside public reserves and outline the most appropriate way to protect them;

Any applicable heritage study and/or conservation policy.

Where appropriate, a site analysis and design response for the development plan demonstrating a response to the sites opportunities and constraints, with particular regard to the outcomes of any Environmental Assessment, Archaeological Survey, the physical constraints of the site, the interface with adjoining uses and developments, and the Cunningham’s Swamp.

Where appropriate:

- the provision of buffers from land used for industrial purposes;

- the recognition of the impact of any aircraft noise impacts and identification of appropriate land uses within the affected areas;

An overall drainage management plan including external catchments, together with a stormwater management plan detailing how stormwater will be collected and treated within the development, with particular emphasis on the removal of sediment, litter and other urban wastes from stormwater prior to its discharge to local watercourses. The management plans must consider and address any potential impacts on adjoining ephemeral wetlands or drainage depressions.

A traffic management plan prepared addressing the impact of the development on the arterial and local road network, addressing mitigation works required on the road network in addition to funding responsibilities.
Conditions and requirements of permits

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- One dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.
- 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.
SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

WYNDHAM HARBOUR

Purpose

The development plan provides the criteria to ensure the coordinated and integrated development of Wyndham Harbour.

1.0 Requirement before a permit is granted

Before a Development Plan has been prepared to the satisfaction of the Responsible Authority, a permit may be granted:

- for minor drainage works
- for minor earthworks
- for demolition of farm sheds
- to remove, destroy or lop vegetation
- for the provision of infrastructure services to the site
- to use and develop the land for the purpose of a temporary sales office and/or temporary display suite associated with the development of the land
- to erect and display advertising signage associated with the development

Prior to the grant of any permit under this clause, the Responsible Authority must:

- send a copy of the permit application to the Department of Sustainability and Environment within 7 days of receipt of that permit application which the Responsible Authority considers provides sufficient information so as to allow assessment; and
- consider any written comments received from Department of Sustainability and Environment received within 14 days of sending that permit application to the Department of Sustainability and Environment.

2.0 Conditions and requirements for permits

A planning permit authorising the development of the Wyndham Harbour must include the following conditions:

- The proponent must submit to the Responsible Authority a works methodology report to the satisfaction of Southern Rural Water demonstrating that the construction of the marina basin and inlet generally in accordance with the approved development plan will not have a material adverse effect upon the beneficial use of the underlying aquifer which forms part of the Deutgam Water Supply Protection Area (the Works Methodology Report).
- A Works Methodology Report to the satisfaction of Southern Rural Water must be submitted prior to the commencement of the construction of the marina basin and inlet.
- Prior to the submission of the Works Methodology Report, it must be reviewed by an independent hydrogeologist agreed by the proponent and Southern Rural Water or, failing agreement, as nominated by the President of the Australian Chapter of the International Association of Hydrogeologists (the independent review). A copy of the independent review must be submitted with the Works Methodology Report.
- The construction of the marina basin and inlet must be undertaken generally in accordance with the requirements of the approved development plan and the Works Methodology Report to the satisfaction of the Responsible Authority and Southern Rural Water.
Any modification to the Works Methodology Report must be to the satisfaction of the Responsible Authority and Southern Rural Water.

No access or works are to commence on Southern Rural Water's drainage reserve until a 'Private Works Agreement' has been entered into by the proponent and Southern Rural Water to the satisfaction of Southern Rural Water.

Should the proponent wish to divert water from Southern Rural Water Drain 5 the proponent will need to enter into a separate agreement (to the satisfaction of Southern Rural Water) prior to any diversion commencing.

Should a 'Private Works Agreement' be entered into between both parties, Southern Rural Water will not accept any responsibility or liability for the quality of water diverted to or from the proponents land or any escape of water from that land.

3.0 Requirements for development plan

A Development Plan submitted for approval pursuant to this Schedule must be generally in accordance with a Land Use Framework Plan for Wyndham Harbour which has been submitted to and approved by the Responsible Authority.

The Land Use Framework Plan must show the general location of all proposed land uses within the plan area (onshore and offshore) and may be amended to the satisfaction of the Responsible Authority from time to time.

The Responsible Authority must consider the views of owners and occupiers of land and berths in Wyndham Harbour by giving not less than 21 days to provide comments on any changes to the Land Use Framework Plan.

A Development Plan must show, as appropriate:

- the location of all proposed land uses within the plan area (onshore and offshore) generally in accordance with the Wyndham Harbour Land Use Framework Plan;

- a proposed layout pattern which provides:-
  - a convenient and safe internal road network and car parking layout;
  - a convenient and safe pedestrian network;
  - convenient and safe pedestrian and road linkages to surrounding areas including coastal paths;
  - pedestrian linkages between the car park and the beach;
  - a continuous public path between the northern and southern sections of the foreshore reserve while allowing for movements associated with boating activities and marina operations;
  - for energy efficient building design elements that address energy efficiency and greenhouse gas emissions;
  - a sensitive interface with adjoining rural land;
  - for commercial and service facilities necessary to support the marina operations;
  - details of access arrangements to and from Duncans Road;
  - details of existing vegetation to be removed;
  - appropriate public open space which:-
    - Includes land within the Public Park and Recreation Zone to be generally set aside for beach recreation, coastal paths and landscaping including revegetation.
    - Takes into account the sensitivities of the coastal location, existing coastal vegetation and proposed water management systems such as water bodies
- Includes appropriate public access areas and facilities
- areas which are accessible to the public;
- The stages (if any) by which the development of the site is to proceed and information as to the timing and provision of infrastructure and other key facilities associated with the staging of the development;
- Building materials and colours to be muted tonings of low-reflective material;
- An outline of infrastructure treatment including road reservations, water supply, wastewater, overall drainage management plan, energy and telecommunication services;
- The location of the proposed pump houses for the sand by-pass operation and sewerage reticulation;
- The areas of the land where applications for licensed premises may be made in the future;
- Details of the variations to the requirements of clause 52.14 in relation to any boat sales on the land;
- Any other matters necessary to support the Wyndham Harbour development.

In accordance with clause 43.04-3, the development plan may be prepared in stages and a particular stage may provide only the relevant detail for the use and development of the part of the land in that stage to the satisfaction of the Responsible Authority.

Subdivision of the land must be generally in accordance with the development plan.

Prior to the approval of any development plan or any modification or amendment to an approved development plan under this clause, the Responsible Authority must:

- consider the views of owners and occupiers of land and berths in Wyndham Harbour by giving not less than 21 days to provide comments;
- send a copy of the development plan or the request for modification or amendment to an approved development plan to the Department of Sustainability and Environment within 7 days of receipt of that development plan or request which the Responsible Authority considers provides sufficient information so as to allow assessment; and
- consider any written comments received from Department of Sustainability and Environment received within 14 days of sending that development plan or request to the Department of Sustainability and Environment.

Any amendment or modification to the development plan relating to the Groundwater Protection Management Plan or the components of the Construction Environment Management Plan or the Operations Environment Management Plan which relate to groundwater protection must be to the satisfaction of Southern Rural Water. Southern Rural Water must notify the Responsible Authority as to whether it is satisfied with the amendments or modifications within 14 days of receiving notice of those amendments or modifications.

A Development Plan must be accompanied by:

- the Site Analysis and the Design Guidelines Report
- the Transport Management Plan
- the Overall Drainage Management Plan
- the Landscape Plan
- the Supplementary Archaeological Report
- the Groundwater Protection Management Plan
- the Construction Environment Management Plan; and
- the Operations Environment Management Plan
('the Plans').

The Plans may be prepared in stages to the satisfaction of the Responsible Authority. The Plans may be amended from time to time in accordance with the requirements of this clause to the satisfaction of the Responsible Authority. The Plans must be implemented to the satisfaction of the Responsible Authority.

**Site Analysis and Design Guidelines Report**

The Site Analysis and Design Guidelines Report must be to the satisfaction of the Responsible Authority and include design guidelines for all built form including indicative elevations, maximum building heights, setbacks and floor areas. The report must include an assessment of the proposed Development Plan against the Wyndham Harbour Design Guidelines approved by the Responsible Authority (or as subsequently amended to the satisfaction of the Responsible Authority from time to time). The Report must include a site analysis and design response for the Development Plan demonstrating a response to the site’s opportunities and constraints, with particular regard to:

- the need to provide a safe harbour accessible to all craft in adverse weather conditions with associated services including haul out, refuelling, pump out and mechanical servicing facilities;
- the outcomes of the Wyndham Cove Marina Environment Effects Statement 2005;
- the physical constraints of the site;
- the need for creation of public access areas generally along the coastline and linking of coastal pathways;
- the need for rehabilitation of degraded indigenous coastal vegetation along the coastline;
- the interface with adjoining land used for rural purposes;
- any other matters which the Responsible Authority deems to be appropriate

The Report must also include information on the provision and enhancement of visitor amenities, the treatment of the interface between residential and non-residential land uses and outline arrangements for the maintenance of common areas in private ownership and public areas, including responsibilities of the stakeholders.

**Transport Management Plan**

- The Transport Management Plan must be to the satisfaction of the Responsible Authority and address:
  - the impact of the development on the road network, mitigation works required on the road network, funding responsibilities, road hierarchy, proposed traffic management devices, carparking areas, areas for the loading and unloading of commercial vehicles, pedestrian and bicycle networks;
  - carparking for the residential components in accordance with the requirements of clause 54 or 55 as appropriate;
  - carparking for the non-residential components to the satisfaction of the Responsible Authority;
  - details of safe, secure and accessible bicycle parking facilities in and around the Wyndham Harbour development and beach areas and demonstrating continuity of the Bay Trail;
  - Prior to the approval of any development plan under this clause, the Responsible Authority must:
    - send a copy of the Transport Management Plan to VicRoads within 7 days of receipt of that Transport Management Plan which the Responsible Authority considers provides sufficient information so as to allow assessment; and
    - consider any written comments received from VicRoads within 14 days of sending that Transport Management Plan to VicRoads.
Overall Drainage Management Plan

- The Overall Drainage Management Plan, must be to the satisfaction of the relevant Drainage Authority and include details of any external catchments and a Stormwater Management Plan detailing how the stormwater will be collected and treated within the development;

Landscape Plan

- The Landscape Plan must be to the satisfaction of the Responsible Authority and include details of street trees, understorey and ground planting, rehabilitation of indigenous coastal vegetation along the coastline and plantings in other areas to soften built form. The plan should not use weed species known to colonise aquatic, wetland, marine and rural ecosystems and should have regard to the sensitivities of the coastal environment.

The Landscape Plan must be consistent with the following objectives:

- Develop landscapes to enhance and complement the site architecture;
- Integrate the natural environment in a manner appropriate to the site;
- Develop a high quality, long-term landscape theme;
- Assimilate the public with the private landscape to create a cohesive design; and
- Create and sustain a landscape that is aesthetically appealing, culturally appropriate and environmentally sensitive.

Supplementary Archaeological Report

- The supplementary archaeological report must be to the satisfaction of the Responsible Authority and Aboriginal Affairs Victoria and include an assessment of the marine portion of the development area to determine the likelihood of the presence of material relating to unlocated shipwrecks.

Groundwater Protection Management Plan

- The Groundwater Protection Management Plan must be to the satisfaction of Southern Rural Water and indicate the measures to be adopted to ensure that there are no materially adverse impacts on the groundwater resource or the existing users of that resource.

Construction Environment Management Plan

- The Construction Environment Management Plan must be to the satisfaction of the Responsible Authority and address:
  - terrestrial and marine ecology;
  - water quality;
  - dredging associated with the boat harbour construction and maintenance activities having regard to the Best Practice Environmental Management Guidelines Environment Protection Authority, October 2001;
  - air quality;
  - erosion mitigation and control;
  - noise;
  - drainage and storm water management;
  - waste management;
  - storage and handling and hazardous materials including fuel;
  - archaeology and heritage;
mechanisms for updating and reviewing its operation on the basis of monitoring results and
other new information; and
details of sea bed surface treatments and monitoring.

Prior to the approval of any development plan under this clause, the Responsible Authority must:

- send a copy of the Construction Environmental Management Plan to the Environment Protection
Authority within 7 days of receipt of that Management Plan which the Responsible Authority
considers provides sufficient information so as to allow assessment; and

- consider any written comments from the Environment Protection Authority received within 14
days of sending a copy of the Construction Environmental Management Plan to the Environment
Protection Authority.

**Operations Environment Management Plan**

- The Operations Environment Management Plan must be to the satisfaction of the Responsible
Authority and address:
  - terrestrial and marine ecology;
  - coastal processes including sand bypassing or dredging and beach monitoring;
  - water quality;
  - air quality;
  - drainage and storm water management;
  - waste management;
  - storage and handling of hazardous materials including fuel;
  - harbour operations and management;
  - a description of the sand bypassing or dredging operation which must be sufficiently flexible
to accommodate a range of materials and seasonal/climatic conditions
  - Details of the proposed monitoring of the sand bypassing or dredging operation including
a monitoring protocol to ensure that off-site habitats, including those within the Point Cook
Ramsar site, are not detrimentally affected by the proposed longshore sediment bypass
system or dredging
  - the hours of operation of pumping and the attenuation of noise from any sand bypass and
sewerage reticulation pump houses
  - the management of activity and public access in the vicinity of the inlet and outlet for any
sand bypass pump
  - Details of the trigger which will result in the commencement of maintenance dredging
associated with the marina and methodologies for the disposal of dredged material as part
of any maintenance dredging
  - a Residents Information Kit covering issues such as preferred planting species list, domestic
animal responsibilities, the sensitivity of rehabilitated natural areas, potential for infrequent
odours from the surrounding environment, the role of the wetlands system and sustainability
initiatives,
  - Details of monitoring and reporting requirements, contingency measures and risk management
analysis in respect of issues related to groundwater protection to the satisfaction of Southern
Rural Water;
  - a marine ecological monitoring program including targets for acceptable copper
concentrations pre-set in consultation with the Environment Protection Authority.
- Details of noise mitigation measures including the marine service area.
- A community consultation program.
- Mechanisms for updating and reviewing the operation of the Operations Environmental Management Plan on the basis of monitoring results and other new information

Prior to the approval of any development plan under this clause, the Responsible Authority must:
- send a copy of the Operations Environmental Management Plan to the Environment Protection Authority within 7 days of receipt of that Operations Environmental Management Plan which the Responsible Authority considers provides sufficient information so as to allow assessment; and
- consider any written comments from the Environment Protection Authority received within 14 days of sending a copy of the Operations Environmental Management Plan to the Environment Protection Authority.

4.0 Decision Guidelines

In considering whether to approve a Development Plan, the Responsible Authority must consider, as appropriate:

a) the Environment Effects Statement Wyndham Cove Marina Development Main Report dated June 2005 and the Supplementary Reports Volumes 1, 2 and 3 to that document and the Minister’s Assessment which provide a detailed assessment of the environmental values and features of the site;
b) the Wyndham Harbour Design Guidelines (as amended to the satisfaction of the Responsible Authority from time to time);
c) the Wyndham Harbour Landscape Concept (as amended to the satisfaction of the Responsible Authority from time to time); and
d) the purpose of the Schedule.

5.0 Section 173 Agreement

Prior to the approval of a Development Plan, the owner of the subject site must enter into a Section 173 Agreement to establish the scope, funding responsibilities and timing for the identified works, including but not limited to:

a) contributing towards mitigating works along and at intersections with Duncans Road, including Aviation Road, Hoppers Lane, Diggers Road and Beach Road; and
b) contributing towards sealing of shoulders along Duncans Road;
c) contributing towards the construction of part of the Bay trail;
d) contributing towards improvements to and in the vicinity of the Werribee South boat ramp.

The Section 173 Agreement must also detail arrangements, to the satisfaction of the Responsible Authority, in relation to:

a) off-set planting in the upper catchment of the Werribee River;
b) other sustainability initiatives to be incorporated in the development;
c) the staging and commencement / completion timelines of the various elements of the development and appropriate security or other measures to ensure commencement and completion of each stage of the development; and
d) public access to parts of the development.

6.0 Reference Documents

Wyndham Harbour Design Guidelines (as amended to the satisfaction of the Responsible Authority from time to time)

Wyndham Harbour Land Use Framework Plan (as amended to the satisfaction of the Responsible Authority from time to time)
SCHEDULE 10 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10.

TARNEIT WEST OUTLINE DEVELOPMENT PLAN AREA

1.0

Requirements for Permits

An application for a planning permit must be accompanied by the following reports prepared by an appropriately qualified consultant to the satisfaction of the Responsible Authority, as considered appropriate:

- A Traffic Management Plan prepared by appropriately qualified experts addressing the impact of the development on the arterial and local road network and the mitigation works required; showing connections to adjoining land, the recommended cross sections as shown in the Tarneit West Outline Development Plan 2008, proposed traffic management devices, and bicycle, pedestrian and public transport linkages.

- An environmental assessment of the land, involving a flora and fauna survey, which identifies existing vegetation or habitat of international, national, state or local significance required to be protected and enhanced. This environmental assessment is to be to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

- An Environmental Management Plan indicating the measures to be adopted to protect, enhance and manage any identified environmental values. Management Plans are to be prepared by a suitably qualified consultant and are to be to the satisfaction of Department of Sustainability and Environment and the Responsible Authority. Assessments will be referred to the appropriate Minister where required under the Victorian Flora and Fauna Guarantee Act 1988 or Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

- An archaeological survey, which will locate, record and assess Aboriginal sites and post-settlement places and objects of cultural and historical significance on the subject land, with representation from the local Aboriginal community. The recommendations of the survey will guide the subdivision design and/or development proposal to ensure any significant features are preserved, protected and enhanced and the findings of the assessment are implemented. The Archaeological Survey is to be to the satisfaction of Aboriginal Affairs Victoria and the Responsible Authority.

- A Overall Drainage Management Plan and a Stormwater Management Plan detailing how stormwater will be collected and treated within each development, with particular emphasis on the maintenance of pre-development (rural) flows and the removal of sediment, litter and other urban wastes from stormwater prior to its discharge to local watercourses. Water Sensitive Urban Design features beyond those shown in the Tarneit West Outline Development Plan 2008, including constructed wetlands, are to be located on drainage lines outside the Davis Creek waterway corridor.

- A heritage study, conservation policy and/or conservation plan if applicable.

- A Landscaping Concept Plan including street trees, understorey and ground planting, estate entries and plantings to soften built form and enable a transition between riparian and other indigenous areas to more groomed and formal landscapes. The Plan should not use weed species known to colonise aquatic, wetland, riparian and farmland or rural ecosystems. The Plan should have regard to identified flora and fauna/habitat, archaeological, historical and cultural values within the subject site. If the site contains public open space as shown in the Tarneit West Outline Development Plan 2008, the concept plan should indicate how this space is to be developed and managed.

- A Construction Management and Environmental Impact Mitigation Plan to control impacts during development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on the site.
A preliminary soil assessment demonstrating the extent of any contaminated soils that may exist on the subject land. If detected, a more detailed assessment outlining the location of the contaminated soil, the types of contaminants detected, and strategies and procedures required to be undertaken to de-contaminate affected areas will be required.

Where appropriate, a site analysis and design response relating to the site’s opportunities and constraints, with particular regard to:

- Identified heritage assets;
- The physical constraints of the site;
- The required setback from Davis Creek and public open space requirements;
- Any policy or code for residential development and subdivision;
- The interface with adjoining developments and the Green Wedge; and
- Any other concepts or principles outlined in the Tarneit West Outline Development Plan 2008 as deemed appropriate by the Responsible Authority.

Preparation of Development Plan

The Tarneit West Outline Development Plan May 2008, will be considered to constitute the development plan under this overlay. Future planning applications must be generally in accordance with the Tarneit West Outline Development Plan May 2008 as adopted by Council in May 2008.

The Development Plan must show:

- The location and approximate area of all proposed land uses within the plan area;
- The relationship and interface with adjoining land uses on all boundaries of the plan area;
- A small neighbourhood centre located on the corner of Hogans and Tarneit Roads. The neighbourhood centre should have a sufficient land area and be designed to accommodate retail facilities up to 5,000m² of retail floor space;
- The proposed road layout pattern:
  - Providing for a convenient and safe internal road network;
  - Providing for a convenient and safe pedestrian and bicycle network;
  - Allowing for the provision of public transport; and
  - Providing road and pedestrian linkages to surrounding residential areas.
- The proposed areas to be set aside as public open space for:
  - Neighbourhood parks;
  - Local sporting reserve co-located with the primary school;
  - District sporting reserve;
  - Environmental buffers.
- The areas set aside for neighbourhood parks, local and district sporting reserves must:
  - Not be flood affected or constrained;
- Take into account the topography of the land;
- Be clearly visible and accessible.

Where land abuts Davis Creek, the following requirement also applies:

- The provision of an appropriate open space buffer to protect the core values of the creek corridor from any negative impacts of urban development. The buffer shall be determined based on the recommendations of an environmental assessment and Melbourne Water requirements.

The approved Development Plan may be amended to the satisfaction of the responsible authority.

**Decision Guidelines for permits**

A permit must be generally consistent with the requirements of Section 1.0 and take into account the following:

- The proposed subdivision is to accord with the principles and concepts outlined in the *Tarneit West Outline Development Plan 2008*, including:
  - Providing for a wide variety of lot sizes and housing types;
  - An average lot density of 15 dwellings per net developable hectare.
  - Energy efficient design elements that maximise energy efficiency and minimise greenhouse gases;
  - Avoiding lots backing onto public open space reserves, Davis Creek and roads;
  - Using roads or local access ways to separate areas of open space from surrounding residential development;
  - Providing for a sensitive residential interface with adjoining residential areas, including the provision of similar lot sizes where new lots will back onto existing lots;
  - Providing for a sensitive interface with Davis Creek with residential lots fronting the creek or an equally acceptable urban design treatment;
  - Identifying the location of any future or existing major infrastructure easements; and
  - Providing adequate land for landscaping in road and public open space reserves.

Where land is to be used for retail or commercial purposes, the following requirement also applies:

- The proposed layout of development on the site should be in accordance with the design performance measures outlined in the *Tarneit West Outline Development Plan.*
SCHEDULE 11 TO DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme maps as DPO11

POINT COOK DESIGNATED GROWTH AREA

Requirements before a permit is granted

Any Development Plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.

A Development Plan must show:

A clear indication of the location of all proposed land uses within the plan area and their interrelationship with the proposed subdivision of the subject land.

The proposed road layout pattern which:

- Provides convenient internal and external access for residents;
- Allows for the provision of public transport; and
- Provides road links to surrounding areas.

Proposed subdivision layout which:

- Provides a wide variety of lots sizes and a wide range of densities allowing for a variety of housing types and for other compatible land uses;
- Provides a sensitive residential interface with adjoining residential land, including the provision of similar lot sizes where new lots will back onto existing lots in surrounding residential areas.
- Takes into consideration the topography of the land, particularly with regard to the provision of useable open space.
- Takes into account the Melbourne 2030 neighbourhood principles, by promoting excellent neighbourhood design to create attractive, walkable and diverse communities, in accordance with Direction 5.5.
- Seeks to achieve a development density of 15 lots per hectare on the net developable residential land. The net developable residential land excludes open space, schools, community facilities, roads, public utilities, drainage reserves and the like.

Provision of well distributed local open space which is not flood affected or constrained and is clearly visible and accessible to residents within the development area. Where appropriate, this open space is to be integrated with areas and corridors of natural interest and significance.

Where relevant, the provision for local shops and community facilities and any non-residential land use which are appropriately located and will integrate well with surrounding residential development and/or open spaces.

The location of any major infrastructure easements that exist.

Any approved Development Plan may be amended to the satisfaction of the Responsible Authority.

Decision Guidelines

A Development Plan must take into account the following:

- An archaeological survey, which will locate, record and assess Aboriginal sites and post-settlement places and objects of cultural and historical significance on the subject land. The recommendations of the survey will guide the subdivision design to ensure the findings
of the survey are implemented and any significant features are preserved, protected and enhanced by the subdivision layout and design. The archaeological survey is to be to the satisfaction of the Aboriginal Affairs Victoria and the Responsible Planning Authority.

- An environmental assessment of the land, involving a flora and fauna survey, which identifies existing vegetation required to be protected and enhanced in the subdivision design. This assessment is also to be relied upon in the preparation of the following plans:

A Management Plan to aid in the protection and management of any identified environmental assets. This environmental assessment is to be to the satisfaction of the Responsible Authority. This plan must:-

- Outline objectives for the management of future public open spaces.
- Have a focus on the protection and enhancement of native vegetation and ecological processes whilst providing for public use which is sympathetic with these objectives.
- Address how remnant vegetation will be protected from informal access which may be detrimental to the long-term survival of that vegetation.
- Include an assessment of any significant trees outside public reserves and outline the most appropriate way to protect them.

A Construction Environmental Management Plan to aid in the protection and management of any environmental assets during the construction phase. This plan must:-

- Outline the objectives for the protection of public open spaces during the construction phase.
- Have a focus on the protection and enhancement of native vegetation and ecological processes whilst providing for public use which is sympathetic with these objectives during the construction phase.
- Address how remnant vegetation will be protected from informal access which may be detrimental to the long-term survival of that vegetation during the construction phase.
- Include an assessment of any significant trees outside public reserves and outline the most appropriate way to protect them during the construction phase.

Any applicable heritage study and/or conservation policy.

Where appropriate, a site analysis and design response for the development plan demonstrating a response to the site’s opportunities and constraints with particular regard to the outcomes of any Environmental Assessment, Archaeological Survey, the physical constraints of the site, and the interface with adjoining uses and developments.

Where appropriate:-

- the provision of buffers from land used for industrial purposes;
- the recognition of the impact of any aircraft noise impacts and identification of appropriate land uses within the affected areas.

An overall drainage management plan including external catchments, together with a stormwater management plan detailing how stormwater will be collected and treated within the development, with particular emphasis on the removal of sediment, litter and other urban wastes from stormwater prior to its discharge to local watercourses. The management plans must consider and address any potential impacts on adjoining ephemeral wetlands or drainage depressions.

A traffic management plan prepared addressing the impact of the development on the arterial and local road network, addressing mitigation works required on the road network in addition to funding responsibilities.
3.0

Conditions and requirements of permits

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- One dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.
- 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.
SCHEDULE 12 TO DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO12.

SNEYDES ROAD SOUTH

Requirements before a permit is granted

Except with Council’s consent a Development Plan must be approved prior to the grant of a planning permit for development of any land covered by this Schedule.

Any Development Plan is to be prepared to the satisfaction of the Responsible Authority. It should be generally in accordance with the Point Cook Concept Plan.

A Development Plan may refer to all or part only of the area covered by this Schedule. The Development Plan should provide the following information:

- The provision of suitable native vegetation offset areas
- The location of all proposed land uses within the plan area and their interrelationship with the proposed lot layout of the subject land.
- The proposed road layout pattern which:
  - Provides convenient internal and external access for residents;
  - Allows for the provision of public transport; and
  - Provides road links to surrounding areas.
- The general location and distribution of lots and details relating to:
  - Variety of lot sizes and densities to encourage a range of housing types and for other compatible land uses;
  - Consideration of the topography of the land particularly with regard to the provision of useable open space.
  - Achievement of Melbourne 2030 neighbourhood principles.
  - Sensitive interface onto adjoining residential land including the provision of similar lot sizes where new lots back onto existing lots in surrounding residential areas.
  - An appropriately designed interface with adjoining green wedge land.
  - A minimum density of 15 lots per hectare on the net developable residential land. The net developable residential land excludes open space, schools, community facilities, roads, public utilities, drainage reserves and the like.
- Provision of well distributed local open space which is not flood effected or constrained and is clearly visible and accessible to residents within the development area. Where appropriate, this open space is to be integrated with areas and corridors of natural interest and significance.
- Where relevant, the provision for local shops and community facilities and any non-residential land use which are appropriately located and will integrate well with surrounding residential development and/or open spaces.
- The location of any major existing infrastructure easements.
- A response to the ‘Neighbourhood Principles’ at Policy 5.5 of Melbourne 2030.
- The standard of development is to be of the highest quality.

Any approved Development Plan may be amended to the satisfaction of the Responsible Authority.
Decision Guidelines

A Development Plan must take into account the following:

- An archaeological survey, which will locate, record and assess Aboriginal sites and post-settlement places and objects of cultural and historical significance on the subject land. The recommendations of the survey will guide the subdivision design to ensure the findings of the survey are implemented and any significant features are preserved, protected and enhanced by the subdivision layout and design. The archaeological survey is to be to the satisfaction of the Aboriginal Affairs Victoria and the Responsible Planning Authority.

- An environmental assessment of the land, involving a flora and fauna survey, which identifies existing vegetation required to be protected and enhanced in the subdivision design, including the identified Lignum Wetland (EVC 104), Lignum Cane Grass Swamp (EVC 655) and Plains Grassland (EVC 132). This assessment is also to be relied upon in the preparation of the following plans:
  - A Management Plan to aid in the protection and management of any identified environmental assets. This environmental assessment is to be to the satisfaction of the Responsible Authority. This plan must:-
    - Outline objectives for the management of future public open spaces.
    - Have a focus on the protection and enhancement of native vegetation and ecological processes whilst providing for public use which is sympathetic with these objectives.
    - Address how remnant vegetation will be protected from informal access which may be detrimental to the long-term survival of that vegetation.
    - Include an assessment of any significant trees outside public reserves and outline the most appropriate way to protect them.
  - A Construction Environmental Management Plan to aid in the protection and management of any environmental assets during the construction phase. This plan must:-
    - Outline the objectives for the protection of public open spaces during the construction phase.
    - Have a focus on the protection and enhancement of native vegetation and ecological processes whilst providing for public use which is sympathetic with these objectives during the construction phase.
    - Address how remnant vegetation will be protected from informal access which may be detrimental to the long-term survival of that vegetation during the construction phase.
    - Include an assessment of any significant trees outside public reserves and outline the most appropriate way to protect them during the construction phase.

- Any applicable heritage study and/or conservation policy.

- Where appropriate, a site analysis and design response for the development plan demonstrating a response to the site’s opportunities and constraints with particular regard to the outcomes of any Environmental Assessment, Archaeological Survey, the physical constraints of the site, and the interface with adjoining uses and developments.

- Where appropriate:-
  - the provision of buffers from land used for industrial purposes;
  - the recognition of the impact of any aircraft noise impacts and identification of appropriate land uses within the affected areas.
An overall drainage management plan including external catchments, together with a stormwater management plan detailing how stormwater will be collected and treated within the development, with particular emphasis on the removal of sediment, litter and other urban wastes from stormwater prior to its discharge to local watercourses. The management plans must consider and address any potential impacts on adjoining ephemeral wetlands or drainage depressions.

A traffic management plan prepared addressing the impact of the development on the arterial and local road network, addressing mitigation works required on the road network in addition to funding responsibilities.

3.0

Conditions and requirements of permits

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- One dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.
- 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.
SCHEDULE 13 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO13**.

**POINTCook ROAD/ POINTCook HOMESTEAD ROAD PRECINCT**

1.0

**Requirement before a permit is granted**

A Development Plan is required to be approved for the whole of the area covered by the Schedule prior to the grant of a planning permit for development of any land covered by the Schedule, to the satisfaction of the Responsible Authority.

Once the overall Development Plan is approved, staged development plans may be prepared and a particular stage may provide only the relevant detail for the use and development of the part of the land in that stage to the satisfaction of the Responsible Authority.

The Development Plan should be in accordance with the Point Cook Concept Plan Addendum 2007.

The Development Plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.

2.0

**Requirements for development plan**

The Development Plan must show:

- The location and approximate area of all proposed land uses within the plan area;
- The relationship and interface with adjoining land uses on all boundaries of the plan area;
- The timing and provision of infrastructure and other key facilities associated with the staging of the development;
- Environmental buffers to the Cheetham Wetlands and the Point Cook Coastal Park;
- Any areas of remnant native vegetation and/or habitat present on the land;
- A small neighbourhood centre centrally located on the main sub-arterial road. The neighbourhood centre should be designed to integrate retail facilities up to 6,000 m² of retail floorspace, community centre, primary school and public open space;
- Location of the Environment Education Centre;
- Location of a major sports ground;
- Neighbourhood parks within 400 metres of at least 95% of dwellings, but at least 400 metres apart and at least 100 metres from the main sub-arterial road.
- Location of the main sub-arterial route off Point Cook Road, centrally located within the plan area to optimise resident access to bus routes;
- New sub-arterial road with no direct access provided to individual dwellings where projected traffic volumes exceed 12,000 vehicles per day (VPD) on dual carriageway sections or exceed 6,000 VPD on single carriageway sections;
- The bus routes throughout the plan area, minimising the length of bus route that is off the main sub-arterial road;
- Location of main pedestrian/cycle paths along key open corridors, the north sides of the main sub-arterial road and Point Cook Homestead Road, linking of the Bay Trail through the environmental buffers, access into the neighbouring residential estate to the north;
- Show at the interface of the Cheetham Wetlands and Point Cook Coastal Park an appropriate boundary treatment that ensures the adequate protection of fauna, particularly from domestic animals;
Location of wetlands and open space required to manage stormwater within the plan area;

Location of areas for higher density residential development;

Each parent parcel being developed to a density of at least 15 dwellings per net developable hectare of residential land. In this case, the net developable hectare of residential land excludes open space, schools, community facilities, roads, public utilities, drainage reserves and the like;

Residential development orientated to environmental buffers and open space areas;

How Melbourne 2030 neighbourhood principles are being met;

Recognition of the impact of any aircraft noise impacts and identification of appropriate land uses within affected areas;

Stages of the development.

The development plan must be accompanied by:

- A Landscape Strategy for roads, open space and the public realm;
- Urban design guidelines that address, amongst other things, the Siting and Design Guidelines for Structures on the Victorian Coast 1988;
- An integrated neighbourhood centre plan;
- An Overall Drainage and Stormwater Management Strategy that demonstrates that stormwater can be contained and treated within the plan area;
- An Environmental Management Plan addressing the impact of development on flora and fauna both on and adjacent to the site;
- A Traffic Management Report; and
- Plans for the Environment Education Centre, generally consistent with plan prepared by MV&S Architects titled “Wilbow Point Cook Interpretive Centre”.

**Referrals**

Prior to the approval of any development plan or any modification or amendment to an approved development plan, the plan shall be referred to the following for comment:

- Melbourne Water;
- Parks Victoria;
- Department of Sustainability and Environment.

The Responsible Authority will consider any written comments received within 28 days of sending that development plan or request to Melbourne Water or Parks Victoria.

**Decision Guidelines**

The Development Plan must comply with the requirements of Section 2.0 and take into account the following:

- Any Archaeological Survey relating to the development plan area;
- Any Flora and Fauna Survey relating to the development plan area;
- Any soil assessment relating to the development plan area;
- Any stormwater management strategy;
- Any heritage Study and/or conservation policy;
- Victorian Coastal Strategy 2014;
SCHEDULE 16 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO16**.

RIVERWALK ESTATE

1.0 Requirements 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:

- One dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.
- 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.

2.0 Requirements for development plan

The following matters are specified as requirements for a development plan:

- A Design Response for the site that responds to the requirements of this schedule including the technical reports.
- The location of all proposed land uses within the plan area.
- A minimum average residential density of 15 lots per hectare on the net developable residential land. (For this purpose, net developable residential land excludes open space, schools, community facilities, roads, public utilities, drainage reserves and other encumbered land.)
- The stages (if any) by which the development of the land is to proceed.
- Appropriate layout and design features for areas abutting or including a waterway such as the provision of appropriate setbacks and buffers, limiting the height of buildings, providing intervening roads, landscaping, shared trails or other public purposes, and the use of 50% transparent fencing along open space or waterway corridors.
- A proposed layout pattern that:
  - Provides an area or areas of higher density residential development in association with the Village Hub.
  - Provides a sensitive residential interface with adjoining residential land
  - Responds to any acoustic constraints that affect the site;
  - Provides a convenient and safe internal road and pedestrian network, linking internally and to surrounding areas.
  - Provides for public transport and encourages the use of public transport.
  - Provides for a variety of lot sizes and housing types, incorporating energy efficient design elements.
  - Demonstrates an appropriate interface between residential properties and public open space reserves and roads.
  - Provides for local shops and community facilities and any non-residential land use where appropriate.
  - Provides adequate land for landscaping in road and public open space reserves.
- Takes into account the topography of the land, particularly with regard to the provision of useable open space, and the location of any major infrastructure easements.

- Provides well-distributed, useable public open space that is visible and accessible to residents within the site and from surrounding areas. Open space should be located to complement the waterway corridor, natural and cultural features, or planned infrastructure (such as stormwater treatments). The location of open space must consider the impact on environmental features that may exist on the site. Open space must not be land set aside for the protection of identified environmental values of the site.

- Responds to the technical reports, plans and analyses required to be prepared.

  - The following technical reports to the satisfaction of the responsible authority that may consist of, or include, reports already submitted to the responsible authority.

    - A Traffic Management Plan addressing the impact of the development on the arterial and local road network; mitigation works that could be made to the road network; connections to adjoining land; road hierarchy; cross sections; proposed traffic management devices on the site; bicycle network; possible public transport routes; and pedestrian links.

    - An Environmental Management Plan also to the satisfaction of Department of Sustainability and Environment indicating the measures to be adopted to protect, enhance and manage any identified environmental values.

    - A Drainage and Stormwater Management Plan for the whole of the site including any external catchments, detailing how stormwater will be collected and treated.

    - A Landscape and Viewshed Analysis that identifies and protects important views associated with waterways, including views within, to and from the waterways.

    - A Landscaping Concept Plan (for areas outside waterway corridors to be transferred to public ownership) including:

      - Street trees, understorey and ground planting, estate entries and plantings in other public areas to soften built form and enable a transition between riparian and other indigenous areas to exotic or groomed landscapes. The plan should not use weed species known to colonise aquatic, wetland, riparian, farmland or rural ecosystems. The plan should have regard to identified flora and fauna/habitat, archaeological, historical and cultural values within the site, and show how public open space is to be developed and managed.

      - Planned passive recreation facilities (such as shared paths, seating, signage etc) with an assessment of the appropriateness of their location in terms of the environmental values that are to be protected at the site and within the waterway corridor.

    - A Construction Management Plan to control impacts during development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on the site. The plan should include requirements to minimise generation of sediment on site, the transport of sediment onto public roads and into drains and waterways, and the generation of dust.

    - An Archaeological Survey also to the satisfaction of Aboriginal Affairs Victoria. The survey and any recommendations resulting from it will be used to guide the land use layout and subdivision designs.

    - A Noise Impact Assessment including any recommended acoustic treatments.

    - Information as to works and protocols implemented (or to be implemented) by the Melbourne Water Corporation to address odours emanating from the Western Treatment Plant. If appropriate, the Responsible Authority will consult with the Environment Protection Authority as part of its consideration of this information.
SCHEDULE 17 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO17

WERRIBEE PLAZA SHOPPING CENTRE

Werribee Plaza Shopping Centre is located on the north-west corner of Derrimut Road and Heaths Road, Hoppers Crossing.

1.0
Requirement before a permit is granted

A permit may be granted for use, subdivision or to construct or carry out minor works before a development plan has been approved by the responsible authority. An application for use, subdivision or to construct or carry out minor works (before a development plan has been approved) must be accompanied by a report demonstrating that the proposal will not prejudice the development plan requirements specified in this schedule.

2.0
Conditions and requirements for permits

None specified.

3.0
Requirements for development plan

The development plan should facilitate the orderly alterations and staged additions to the Centre, reflecting its dynamic role in responding to the increased scale and diversity of its market catchment areas.

All development should be generally in accordance with the approved Development Plan. The Development Plan should:

- identify appropriate land uses
- provide a Design and Built Form Strategy
- provide an Integrated Transport Plan
- provide an Environmental Design and Management Strategy.

3.1
Land Uses

The Development Plan should provide for a range of land uses consistent with the regional activity centre role of Werribee Plaza and its designation as a major activity centre in the Melbourne 2030 strategy. The range of land uses could include:

- major shops such as large supermarkets, discount departments stores and department stores.
- specialty shops such as convenience goods and services.
- food and drink premises including convenience restaurants, a hotel and take away food premises.
- offices including banks, medical centre, real estate and travel outlets.
- places of assembly including cinemas, library, gymnasium, bingo, a tavern and gaming.
- new community uses and the relocation of the existing library.
- restricted retail uses such as home entertainment and homewares outlets and automotive related outlets.

3.2
Design and Built Form Strategy

The Design and Built Form Strategy should set out the form and design outcomes to be achieved. The Strategy should:
· Provide the location, height, layout and floor areas of the proposed building forms in accordance with Figure 1.

· Provide cross-sections of all new buildings, illustrating building height and setbacks.

· Provide a staging plan.

· Include the layout of all the uses and show the level of integration between the uses.

· Ensure all building forms fronting Heath and Derrimut Roads provide strong architectural statements and are integrated with landscaping and artwork.

· Encourage development to maximise site coverage over multiple levels and include basement car parking and loading areas where practical.

· Locate taller, landmark buildings close to the intersection of Heaths and Derrimut Roads.

· Ensure Heaths Road and Derrimut Road frontages are designed to accommodate uses which have external presentation and/or active frontages.

· Ensure the Derrimut Road frontage to be developed as a focus for retail premises, food and drink premises, recreational uses and offices which have external presentation and/or active frontages. The street edge treatments are to allow for pedestrian activities and slow vehicle movements for drop off/ pick up.

· Provide entertainment uses (which operate after normal trading hours) along the Heaths Road frontage or towards the southern section of the Derrimut Road frontage.

· Ensure customer access to the gaming facility is external to the Centre.

· Ensure the frontage along Heath Road is activated as much as possible. Entry and exit points should be discrete with landscaped setbacks and architectural screening to loading/car parking areas. Vehicle entry and exit points should be discrete and building forms could extend over these spaces to provide architectural continuity and activation.

· Ensure the boundary treatment to the north is retained with fencing and buffer planting strips.

· Ensure the boundary treatments to the west are a combination of fencing and landscaping treatment together with pedestrian access improvements internal to the site and the Barber Drive connection.

· Identify loading and unloading areas and their means of access.

An Integrated Transport Plan

The Development Plan must include an Integrated Transport Plan (ITP). The ITP should be prepared to the satisfaction of VicRoads, Director of Public Transport and the responsible authority. The Plan should set out the response to all access needs and emphasise delivery of a sustainable movement network including:

Walking and cycling

· Identifying key pedestrian routes from areas adjacent to the site to the main entries of the Centre. This must demonstrate safe, convenient access from all areas, and particularly the south side of Heaths Road and the east side of Derrimut Road.

· Maintaining pedestrian / cycle access to and from Johnston Avenue and Barber Drive.

· Designated cycle routes from Heaths Road and Derrimut Road to on-site bicycle storage facilities.

· A location plan of employee and visitor bicycle facilities including arrangement for end of trip facilities.

· Shared pathways to Heaths and Derrimut Roads.
Public Transport

- The location and layout of the public transport bus interchange (vehicle and passenger facilities) and access routes to them from vehicles and pedestrian routes, and access points to the Centre. This should also include identifying the location of taxi ranks.

- Priority for buses through the internal network including at exit points to the site and where practical on adjoining intersections to maintain and improve bus travel times to the satisfaction of the Department of Transport and VicRoads.

- Ensuring any relocation of the bus interchange provides:
  - Bus bays grouped in one location.
  - Safe and weather protected waiting areas with direct access to the centre.
  - Coordinated linkages to the pedestrian access routes in and around the centre.

Vehicle Access

- Any works considered necessary for public transport vehicles or passenger facilities.

- The proposed traffic management and control works on-site and on adjoining roads and staging.

- The location and layout of pedestrian, bicycle and vehicle routes. This should be in general accordance with Figure 1.

- The location of any vehicular access ways to adjoining land.

- The proposed intersections, both existing and proposed road works.

- Any road works necessary to ensure that sufficient road capacity is achieved when the development is complete. The roads are to be developed in stages matched to the development of the centre.

- Connections where possible between the various areas of parking associated so drivers do not have to enter and exit main roads to move between parking area.

Car Parking

Car parking spaces required for a Shop and other uses must be specified on the Development Plan by number and/or by ratio and by stage as applicable. In determining the total provision required for each stage, the Decision Guidelines at Clause 52.06-1 are to be used.

Environmental Design and Management Strategy

The Environmental Design and Management Strategy should include:

- An Ecologically Sustainable Development Report prepared by a suitably qualified person to demonstrate that the design of the new buildings will achieve “best practice” as specified through the Greenstar Retail Centre Design Rating Tool or similar level, with commitment to achieving greater water use efficiency. This report should include the proposed urban design and building techniques, management of storm and water run-off and onsite re-use and any other initiatives.

- A Landscape Plan identifying a planting schedule of all proposed trees, shrubs and ground covers.

- A Construction Management Plan which sets out the principal construction issues and how the anticipated processes will be managed. The Construction Management Plan should address local amenity issues and make provision for:
  - measures to protect the amenity of surrounding areas through the construction period against dust, noise and stormwater control and security lighting.
  - the management of construction worker vehicles.
- the delivery and storage of materials on the site.
- a schedule of hours of work during the normal week.
- a procedure to seek specific out of hours work to deal with special construction requirements.
- construction access to the site.

The responsible authority may waive or reduce the requirements detailed above that are not considered relevant as applicable.

**Decision Guidelines**

Before deciding on any application to develop and use the land, the responsible authority may consider any views received from interested parties to assist in the assessment of sound design outcomes.

**Figure 1**
LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the *Water Act, 1989* where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and floodplain health.

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**Land subject to inundation objectives and statement of risk**

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

---

**Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

Permit requirement
None specified

Permit exemption
No permit is required for works associated with a road within the Residential 1 Zone, Urban Floodway Zone, and Industrial 3 Zone, and Public Acquisition Overlay required for the Palmers Road extension between Dunnings Road and the Melbourne to Geelong Railway line, in Point Cook.
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.

### Class of application

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any of the following classes of subdivision:</td>
<td>Clause 59.08</td>
</tr>
<tr>
<td>- Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>- Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>- Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

### Application requirements

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

### Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.
Exemption from notice and review
An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral of applications
An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO.

1.0

Permit requirement

None specified
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 of a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

Land not to be spoiled or wasted

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

Reservation for public purpose

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the Planning and Environment Act 1987, the Land Acquisition and Compensation Act 1986 or any other act.

Acquiring authority

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.
### SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

<table>
<thead>
<tr>
<th>PS Map</th>
<th>Acquiring Authority</th>
<th>Purpose of Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>Wyndham City Council</td>
<td>Acquisition by Council for Road Purposes</td>
</tr>
<tr>
<td>PAO2</td>
<td>Vic Roads</td>
<td>Acquisition by Vic Roads for Road Purposes</td>
</tr>
<tr>
<td>PAO3</td>
<td>Wyndham City Council</td>
<td>Acquisition by Council for Open Space Purposes</td>
</tr>
<tr>
<td>PAO4</td>
<td>Wyndham City Council</td>
<td>Acquisition by Council for Municipal Purposes</td>
</tr>
<tr>
<td>PAO5</td>
<td>Roads Corporation</td>
<td>Outer Metropolitan Ring / E6 Transport Corridor</td>
</tr>
<tr>
<td>PAO6</td>
<td>Director of Public Transport</td>
<td>Rail Purposes</td>
</tr>
<tr>
<td>PAO7</td>
<td>The Minister responsible for</td>
<td>Western Grassland Reserves</td>
</tr>
<tr>
<td></td>
<td>administering Part 2 of the Crown</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land (Reserves) Act 1978</td>
<td></td>
</tr>
<tr>
<td>PAO8</td>
<td>Director of Public Transport</td>
<td>Outer Metropolitan Ring / E6 Transport Corridor – Rail</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Connections</td>
</tr>
<tr>
<td>PAO9</td>
<td>Melbourne Water</td>
<td>Acquisition by Melbourne Water for Drainage Purposes.</td>
</tr>
</tbody>
</table>
ENVIRONMENTAL AUDIT OVERLAY

Shown on the planning scheme map as **EAO**.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

**Requirement**

Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or
- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
ROAD CLOSURE OVERLAY

Shown on the planning scheme map as RXO.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify a road that is closed by an amendment to this planning scheme.

Road closure
A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- That the road is closed.
DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

Preparation of a development contributions plan

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.
SCHEDULE 1 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO1.

CELL “B” DEVELOPMENT CONTRIBUTION PLAN

1.0

Area covered by this development contributions plan
All land bounded by Leakes Road, Skeleton Creek, Sayers Road and Derrimut Road, Tarneit.

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total Cost $</th>
<th>Time Of Provision</th>
<th>Actual Cost Contribution Attributable To Development $</th>
<th>Proportion Of Cost Attributable To Development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distributor roads</td>
<td>$4,393,000</td>
<td>None specified</td>
<td>$4,393,000</td>
<td>100%</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>$1,325,000</td>
<td>None specified</td>
<td>$1,325,000</td>
<td>100%</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Parks</td>
<td>5% of total area</td>
<td>None specified</td>
<td>None specified</td>
<td>100%</td>
</tr>
<tr>
<td>Active open space</td>
<td>$960,000</td>
<td>None specified</td>
<td>$120,000</td>
<td>12.5%</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>$500,000</td>
<td>None specified</td>
<td>$500,000</td>
<td>100%</td>
</tr>
<tr>
<td>Drainage</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Other</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$7,178,000</td>
<td>None specified</td>
<td>$6,338,000</td>
<td>88.73%</td>
</tr>
</tbody>
</table>
### Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential</td>
<td>Non-residential</td>
<td>Residential</td>
</tr>
<tr>
<td>Distributor roads</td>
<td>$21,838 per Ha</td>
<td>$21,838 per Ha</td>
<td>None specified</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>$6,192 per Ha</td>
<td>$6,192 per Ha</td>
<td>None specified</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Parks</td>
<td>5% land</td>
<td>5% land</td>
<td>None specified</td>
</tr>
<tr>
<td>Active open space</td>
<td>None specified</td>
<td>None specified</td>
<td>$679 per Ha</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>$566 per Ha</td>
<td>None specified</td>
<td>$2,263 per Ha</td>
</tr>
<tr>
<td>Drainage</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Other</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$28,596 per Ha</td>
<td>$28,030 per Ha</td>
<td>$2,942 per Ha</td>
</tr>
</tbody>
</table>

Levies payable by the development should be specified appropriately, e.g. in $ per lot or $ per hectare.
Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:

- Construction of one dwelling, including outbuildings, on an existing lot provided it is the only dwelling on the lot.
- Any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing development.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 3 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO3.

WESTMEADOWS LANE AND MARQUANDS ROAD DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

All the land bounded by Skeleton Creek, the north-west boundary of lots 7 & 8 Westmeadows Lane, Leakes Road, Marquands Road and the northern boundary of Westbourne Grammar School, Truganina.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost for the Northern Growth Area $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial Roads and Major Path Network</td>
<td>$115,048,170</td>
<td>None specified</td>
<td>$10,688,791</td>
<td>9.3%</td>
</tr>
<tr>
<td>Community Infrastructure</td>
<td>$17,896,320</td>
<td>None specified</td>
<td>$1,837,818</td>
<td>10.3%</td>
</tr>
<tr>
<td>Other Development Infrastructure</td>
<td>$21,443,760</td>
<td>None specified</td>
<td>$2,202,091</td>
<td>10.3%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$154,388,250</td>
<td>None specified</td>
<td>$14,728,700</td>
<td>9.5%</td>
</tr>
</tbody>
</table>

Summary of contributions (dollar values indexed as in Section 5.0)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td>Arterial roads and major paths</td>
<td>$63,266.00 per net developable Ha</td>
</tr>
<tr>
<td>Neighbourhood and local &quot;District&quot; active open space</td>
<td>5% land/cash</td>
</tr>
<tr>
<td>Active open space</td>
<td>$513.25 per Ha</td>
</tr>
<tr>
<td>Community infrastructure</td>
<td>-</td>
</tr>
<tr>
<td>Other development infrastructure</td>
<td>$937.06 per lot/dwelling</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$63,779.25 per net developable hectare plus $937.06 per lot/dwelling</td>
</tr>
</tbody>
</table>
Levies Payable by the Development

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>residential</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$937.06 per lot/dwelling (if any)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*1. Where the expression “lot/dwelling” is used, the intent is that the stated contributions are to be made on a per dwelling basis. However, where contributions are to be made on subdivisions, the number of lots may be used as a proxy for number of dwellings; except that where multi-dwelling or multi-use sites are included, their contributions will be based on planned dwelling numbers.

2. Totals do not include 5% open space contributions, where relevant.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0 30/10/2008 C99

Development in excess of 15 dwellings per hectare.

For residential developments where the density is greater than 15 dwellings per net developable hectare as defined in Section 9 of this Schedule, and where communal open space and indoor recreation areas are provided in accordance with the Westmeadows Lane and Marquands Road Development Contributions Plan, the “community” and “other development” infrastructure will be limited to $11,730.75 and $14,055.90 respectively, per net developable hectare (subject to indexation, as provided in Section 5.0).

5.0 30/10/2008 C99

Indexation

All contributions stated in dollar values in this Schedule are to be indexed in line with the Commonwealth Statistician’s consumer Price Index (All Groups) for Melbourne (CPI) from the September quarter, 2007, unless otherwise stated.

6.0 30/10/2008 C99

Provision of land for major road reservations or widenings

For each property where land is required for road widening or a road reservation, the first component of its development contributions for roads shall be the land contribution from this property unless the Responsible Authority agrees to an alternative. This plan includes provision to fund land acquisition for road widening from contributions under this Development Contributions Plan Overlay at the value of $167,033 per hectare, plus indexation as in Section 5.0. Affected landowners will be credited that value of land transferred to Responsible Authority for road widening at the rate of $167,033 per hectare, plus indexation as in Section 5.0, which is the rate that was used when determining the level of development contributions for the plan area.
7.0 Public Open Space contribution

A public open space contribution of 5% of the gross developable area of the land plus a cash contribution of $513.25 per hectare (subject to indexation) is required in accordance with the Westmeadows Lane and Marquands Road Development Contributions Plan and the Cell C Development Plan (Stage 1).

8.0 Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:

- Land where a S173 Agreement has been executed for development contributions;
- Construction of one dwelling, including outbuildings, on a lot that exists before this overlay, provided it is the only dwelling on the lot.
- Any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing development.

9.0 Definitions

**Net developable area** for the purposes of this schedule is defined as “the total site area, minus arterial and sub-arterial road widenings and reserves, floodways in dedicated reservations, school sites and the open space required by Council. Estate entry features, plantation and garden reserves and similar features are not omitted.

**Gross developable area** for the purposes of this schedule is defined as “the total site area, minus arterial and sub-arterial road widenings and reserves, floodways in dedicated reservations and school sites. Estate entry features, plantation and garden reserves and similar features are not omitted. Gross Developable Area is only used in the calculation of public open space requirements.

**Note:** This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 4 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO4

WESTMEADOWS LANE RECONSTRUCTION LEVY

1.0

Area covered by the levy

All the land bounded by Skeleton Creek, the easterly boundaries of Lots 8 & 9 Westmeadows Lane, north-westerly boundary of Lot 7 Westmeadows Lane, the Leakes Road, Marquands Road and the northern boundary of Westbourne Grammar School, Truganina.

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westmeadows Lane Reconstruction</td>
<td>$1,816,568</td>
<td>None specified</td>
<td>$1,816,568</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,816,568</td>
<td>None specified</td>
<td>$1,816,568</td>
<td>100%</td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable By The Development</th>
<th>Development Infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
<th>non-residential</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
</tr>
<tr>
<td>Westmeadows Lane Reconstruction</td>
<td>$989.46 per linear metre frontage to Westmeadows Lane plus $3,558.05 per Net Developable ha</td>
<td>$989.46 per linear metre frontage to Westmeadows Lane plus $3,558.05 per Net Developable ha</td>
<td>None specified</td>
<td>None specified</td>
<td>$989.46 per linear metre frontage to Westmeadows Lane plus $3,558.05 per Net Developable ha</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$989.46 per linear metre frontage to Westmeadows Lane plus $3,558.05 per Net Developable ha</td>
<td>$989.46 per linear metre frontage to Westmeadows Lane plus $3,558.05 per Net Developable ha</td>
<td>None specified</td>
<td>None specified</td>
<td>$989.46 per linear metre frontage to Westmeadows Lane plus $3,558.05 per Net Developable ha</td>
</tr>
</tbody>
</table>
Indexation

All contributions stated in dollar values in this Schedule are to be indexed in line with the Commonwealth Statistician’s consumer Price Index (All Groups) for Melbourne (CPI) from the September quarter, 2007, unless otherwise stated.

Payments and refunds

Payment of the full contribution will be required prior to works commencing on a development that may not be subdivided, or the issue of a Statement of Compliance for the first subdivision of the land. Funds will be collected by the Responsible Authority and pooled until the road has been fully constructed, to the Responsible Authority’s satisfaction. Once the road’s construction has been fully funded, any remaining pooled funds and further contributions will be redistributed among those developers who have contributed more than their fair share, as detailed in the Westmeadows Lane and Marquands Road Development Contributions Plan.

Works in kind may be required or permitted by Council, in lieu of payments, and Council may accelerate completion of Marquands Road by applying pooled funds, as detailed in the Development Contributions Plan under this Overlay.

Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:

- Construction of one dwelling, including outbuildings, on a lot that existed before this overlay, provided it is the only dwelling on the lot.
- Any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing development.

Definitions

Net developable area for the purposes of this schedule is defined as “the total site area, minus arterial and sub-arterial road widenings and reserves, floodway’s in dedicated reservations, school sites and the open space required by Council. Estate entry features, plantation and garden reserves and similar features are not omitted.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 5 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO5.

MARQUANDS ROAD RECONSTRUCTION LEVY

Area covered by this development contributions plan
All the land bounded by the western boundary of Lots 1 and 16 Westmeadows Lane, Leakes Road, a line located 200 metres east of Marquands Road and the alignment of the northern boundary of Westbourne Grammar School, Truganina.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marquands Road Reconstruction</td>
<td>$1,355,670</td>
<td>None specified</td>
<td>$1,355,670</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,355,670</td>
<td>None specified</td>
<td>$1,355,670</td>
<td>100%</td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable By The Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Non-residential</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>Community infrastructure</td>
</tr>
<tr>
<td></td>
<td>Non-residential</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>All infrastructure</td>
</tr>
<tr>
<td></td>
<td>non-residential</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Marquands Road Reconstruction</td>
<td>$1,151.12 per linear metre frontage</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,151.12 per linear metre frontage</td>
</tr>
</tbody>
</table>

Indexation

All contributions stated in dollar values in this Schedule are to be indexed in line with the Commonwealth Statistician’s consumer Price Index (All Groups) for Melbourne (CPI) from the September quarter, 2007, unless otherwise stated.
5.0 Payments and refunds

Payment of the full contribution will be required prior to works commencing, or the issue of a Statement of Compliance for the first subdivision of the land. Funds will be collected by the Responsible Authority and pooled until the road has been fully constructed, to the Responsible Authority’s satisfaction. Once the road’s construction has been fully funded, any remaining pooled funds and further contributions will be redistributed among those developers who have contributed more than their fair share, as detailed in the Westmeadows Lane and Marquands Road Development Contributions Plan.

Works in kind may be required or permitted by Council, in lieu of payments, and Council may accelerate completion of Marquands Road by applying pooled funds, as detailed in the Development Contributions Plan under this Overlay.

6.0 Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:

- Construction of one dwelling, including outbuildings, on a lot that existed before this, overlay, provided it is the only dwelling on the lot.
- Any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing development.

7.0 Definitions

Net developable area for the purposes of this schedule is defined as “the total site area, minus arterial and sub-arterial road widenings and reserves, floodway’s in dedicated reservations, school sites and the open space required by Council. Estate entry features, plantation and garden reserves and similar features are not omitted.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 6 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO6

TARNEIT WEST DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

All land bounded by Tarneit and Hogans Roads, Davis Creek and the southern boundary of Claremont Park Estate in Tarneit West.

Summary of costs (in 2008 dollars)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost for the Northern Growth Area $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to Tarneit West development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial roads and major path network</td>
<td>$115,048,170</td>
<td>None specified</td>
<td>$7,274,262</td>
<td>6.2%</td>
</tr>
<tr>
<td>Community Infrastructure</td>
<td>$17,896,320</td>
<td>None specified</td>
<td>$1,123,219</td>
<td>6.1%</td>
</tr>
<tr>
<td>Other development Infrastructure</td>
<td>$21,443,760</td>
<td>None specified</td>
<td>$1,345,852</td>
<td>6.1%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$154,388,250</strong></td>
<td><strong>None specified</strong></td>
<td><strong>$9,743,333</strong></td>
<td><strong>6.2%</strong></td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Development Infrastructure (in 2008 dollars)</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
<td>non-residential</td>
</tr>
<tr>
<td>Arterial roads and major path network</td>
<td>$75,971.40</td>
<td>$75,971.40 per net developable Ha</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Neighbourhood and Active open space</td>
<td>7.5%</td>
<td>None specified</td>
<td>None Specified</td>
<td>None Specified</td>
</tr>
<tr>
<td></td>
<td>None specified</td>
<td>$1,150.00 per lot/dwelling</td>
<td>None specified</td>
<td>$1,150.00 per lot/dwelling</td>
</tr>
<tr>
<td>Other development Infrastructure</td>
<td>$937.06 per lot/dwelling</td>
<td>None specified</td>
<td>None specified</td>
<td>$937.06 per lot/dwelling</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$75,971.40</td>
<td>$75,971.40 per net developable hectare plus</td>
<td>$937.06 per lot or dwelling</td>
<td>None specified</td>
</tr>
</tbody>
</table>
The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

Development in excess of 15 dwellings per hectare.

For residential developments where the density is greater than 15 dwellings per net developable hectare as defined in Section 10 of this Schedule, and where communal open space and indoor recreation areas are provided in accordance with a development contributions plan for the locality, the “community” and “other development” infrastructure will be limited to $11,730.75 and $14,055.90 respectively, per net developable hectare.

Indexation

All development infrastructure contributions stated in dollar values in this Schedule are to be indexed in line with the Commonwealth Statistician’s Consumer Price Index (All Groups) for Melbourne (CPI) from the September quarter, 2007, unless otherwise stated.

Provision of land for major road reservations or widening

For each property where land is required for road widening or a road reservation, the first component of its development contributions for roads shall be the land contribution from this property unless the Responsible Authority agrees to an alternative. This plan includes provision to fund land acquisition for road widening from contributions under this Development Contributions Plan Overlay at the value of $511,074.92 per hectare, plus indexation as in Section 5.0. Affected landowners will be credited that value of land transferred to Responsible Authority for road widening at the rate of $511,074.92 per hectare, plus indexation as in Section 5.0, which is the rate that was used when determining the level of development contributions for the plan area.

Public Open Space contribution

A total public open space contribution of 7.5% is required of the gross developable area of a residential development site in accordance with the Tarneit West Development Contributions Plan and the Outline Development Plan 2008.

Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:
- Public schools;
- Construction of one dwelling, including outbuildings, on an existing lot provided it is the only dwelling on the lot.
- Any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing development.

Note: This schedule sets out a summary of the costs and contributions prescribed in the Tarneit West Development Contributions Plan incorporated document. Refer to this document for full details.
SCHEDULE 7 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO7

WOOTTEN ROAD CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land parcels that have direct abuttal to the existing Wootten Road reservation in Tarneit West, excepting the proposed primary school site.

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wootten Road Reconstruction</td>
<td>$977,592</td>
<td>None specified</td>
<td>$977,592</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$977,592</td>
<td>None specified</td>
<td>$977,592</td>
<td>100%</td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable By The Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>residential</td>
</tr>
<tr>
<td>Wootten Road Reconstruction</td>
<td>$989.46 per linear metre frontage to Wootten Road plus $9,381.84 per net developable Ha</td>
</tr>
<tr>
<td></td>
<td>$989.46 per linear metre to frontage to Wootten Road plus $9,381.84 per net developable ha</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$989.46 per linear metre frontage to Wootten Road plus $9,381.84 per net developable Ha</td>
</tr>
</tbody>
</table>

4.0

Indexation

All contributions stated in dollar values in this Schedule are to be indexed in line with the Commonwealth Statistician’s Consumer Price Index (All Groups) for Melbourne (CPI) from the September quarter, 2007, unless otherwise stated.

5.0

Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:

- Public schools;
- Construction of one dwelling, including outbuildings, on an existing lot provided it is the only dwelling on the lot.
- Any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing development.
This schedule sets out a summary of the costs and contributions prescribed in the Tarneit West Development Contributions Plan incorporated document. Refer to this document for full details.
SCHEDULE 8 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO8

TRUGANINA SOUTH PRECINCT DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All the land generally bounded by Leakes Road, Palmers Road, Sayers Road and Marquands Road, Truganina that is included in the Development Contributions Plan Overlay 8 on the Wyndham Planning Scheme maps.

2.0

Summary of costs (dollar values indexed)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost for the Wyndham North Growth Front $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to Truganina South Community PSP Area $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial Roads and Major Path Network</td>
<td>$127,206,782</td>
<td>Generally concurrent with development</td>
<td>$16,222,126</td>
<td>12.75%</td>
</tr>
<tr>
<td>Community Infrastructure</td>
<td>$24,236,808</td>
<td>None specified</td>
<td>$2,224,800</td>
<td>9.18%</td>
</tr>
<tr>
<td>Other Development Infrastructure</td>
<td>$52,162,329</td>
<td>None specified</td>
<td>$7,981,647</td>
<td>15.30%</td>
</tr>
<tr>
<td>Truganina South PSP Items</td>
<td>$0</td>
<td>None specified</td>
<td>$20,773,979</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$203,605,919</td>
<td></td>
<td>$47,202,553</td>
<td>-</td>
</tr>
</tbody>
</table>
Summary of contributions (dollar values indexed)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
</tr>
<tr>
<td>Arterial roads and major paths</td>
<td>$169,311.65 per net developable Ha</td>
<td>$169,311.65 per net developable Ha</td>
<td>-</td>
</tr>
<tr>
<td>Neighbourhood and local &quot;District&quot; active open space</td>
<td>7.5% land/cash</td>
<td>5% land/cash</td>
<td>-</td>
</tr>
<tr>
<td>Community infrastructure</td>
<td>-</td>
<td>-</td>
<td>$1,150.00 per lot/dwelling</td>
</tr>
<tr>
<td>Other development infrastructure</td>
<td>$6,693.75 per lot/dwelling</td>
<td>$6,693.75 per lot/dwelling</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$169,311.65 per net developable hectare plus $6,693.75 per lot/dwelling</strong></td>
<td><strong>$169,311.65 per net developable hectare plus $6,693.75 per lot/dwelling</strong></td>
<td><strong>$1,150.00 per lot/dwelling</strong></td>
</tr>
</tbody>
</table>

1. Where the expression “lot/dwelling” is used, the intent is that the stated contributions are to be made on a per dwelling basis. However, where contributions are to be made on subdivisions, the number of lots may be used as a proxy for number of dwellings; except that where multi-dwelling or multi-use sites are included, their contributions will be based on planned dwelling numbers.

2. Totals do not include open space contributions, where relevant, as they are expressed as percentages.
The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

Development in excess of 15 dwellings per hectare

For residential developments where the density is greater than 15 dwellings per net developable hectare as defined in the Truganina South Precinct Development Contributions Plan, and where communal open space and indoor recreation areas are provided in accordance with Truganina South Precinct Development Contributions Plan, the “community” and “other development” infrastructure will be limited to $13,500.00 and $100,406.19 respectively, per net developable hectare (subject to indexation for other development infrastructure).

Indexation and revaluations

All Development Infrastructure Levies stated in dollar values in this Schedule are to be indexed quarterly, in line with relevant indices stated in the Development Contributions Plan. All land values are to be or subject to periodic re-valued as provided for in the Development Contributions Plan.

Provision of land for major road reservations or widenings

For each property where land is required for road widening or a road reservation, the first component of its’ development contributions for roads shall be the land contribution from this property unless the Responsible Authority agrees to an alternative. Funding for land acquisition for road widening from contributions under this Development Contributions Plan Overlay is set at the value of $750,000.00 per hectare, plus indexation. Affected landowners will be credited that value of land transferred to the Responsible Authority for road widening at the rate of $750,000.00 per hectare, plus indexation, which is the rate that was used when determining the level of development contributions for the plan area.

Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:

- Land where a Section 173 Agreement has been executed for development contributions;
- Construction of one dwelling, including outbuildings, on a lot that exists before this overlay, provided it is the only dwelling on the lot;
- Any buildings or works in association with the use of the land for agricultural purposes;
- A fence;

Minor extensions, additions or modifications to any existing development.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 9 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO9.

TRUGANINA EMPLOYMENT PRECINCT DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

Land in the City of Wyndham shown on the Planning Scheme maps as being within Schedule 9 to the Development Contributions Plan Overlay.

Summary of costs in July 2009 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distributor roads</td>
<td>$67,265,282</td>
<td>Refer to details in the Truganina Employment Precinct Development Contributions.</td>
<td>$65,739,201</td>
<td>98%</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>$13,244,326</td>
<td>Refer to details in the Truganina Employment Precinct Development Contributions.</td>
<td>$9,900,394</td>
<td>75%</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>$1,525,000</td>
<td></td>
<td>$1,525,000</td>
<td>100%</td>
</tr>
<tr>
<td>Parks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Active open space</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community activity centres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drainage</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$82,034,608</td>
<td></td>
<td>$77,164,595</td>
<td>94%</td>
</tr>
</tbody>
</table>
## Summary of contributions in July 2009 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Leases Payable By The Development</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>residential</td>
<td>non-residential</td>
</tr>
<tr>
<td>Distributor roads</td>
<td>$85,198.55</td>
<td>$85,198.55</td>
<td></td>
</tr>
<tr>
<td>Traffic management works</td>
<td>$12,830.99</td>
<td>$12,830.99</td>
<td></td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>1,976.41</td>
<td>1,976.41</td>
<td></td>
</tr>
<tr>
<td>Parks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Active open space</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community activity centres</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drainage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$100,005.00</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

All levies payable by the development are per net developable hectare as set out in the Truganina Employment Precinct Development Contributions Plan.

## Indexation

All contributions stated in dollar values in this Schedule are to be indexed in line with the Commonwealth Statisticians’ Consumer Price Index (All Groups) for Melbourne (CPI) from the July quarter 2009.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*
SCHEDULE 10 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO10.

MANOR LAKES DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

Land in the City of Wyndham shown on the Planning Scheme maps as being within Schedule 10 to the Development Contributions Plan Overlay.

2.0

Summary of costs in March 2011 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>$11,384,000</td>
<td>Refer to details in the Manor Lakes Development Contributions Plan.</td>
<td>$11,384,000</td>
<td>100.0%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$19,290,000</td>
<td>Refer to details in the Manor Lakes Development Contributions Plan.</td>
<td>$13,047,110</td>
<td>67.6%</td>
</tr>
<tr>
<td>Community facilities</td>
<td>$9,527,635</td>
<td>Refer to details in the Manor Lakes Development Contributions Plan.</td>
<td>$7,901,090</td>
<td>82.9%</td>
</tr>
<tr>
<td>Outdoor active recreation</td>
<td>$24,301,352</td>
<td>Refer to details in the Manor Lakes Development Contributions Plan.</td>
<td>$16,037,695</td>
<td>66.0%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$64,502,987</strong></td>
<td></td>
<td><strong>$48,369,896</strong></td>
<td><strong>75.0%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions in 1 March 2011 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Community Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Community Infrastructure</td>
</tr>
<tr>
<td></td>
<td>All development</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
<td>Per dwelling</td>
</tr>
<tr>
<td>Roads</td>
<td>$38,881</td>
<td>$0</td>
</tr>
<tr>
<td>Intersections</td>
<td>$44,561</td>
<td>$0</td>
</tr>
<tr>
<td>Community facilities</td>
<td>$25,619</td>
<td>$0</td>
</tr>
<tr>
<td>Outdoor active recreation</td>
<td>$34,519</td>
<td>$1,150</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$143,581</strong></td>
<td><strong>$1,150</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Manor Lakes Development Contributions Plan.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.
If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

### Indexation

All capital costs of infrastructure items will be adjusted quarterly in the following manner:

- Roads, intersections and bridges / culverts will be indexed in line with the Australian Bureau of Statistics Road and Bridge Construction Index – Victoria.
- All other items will be indexed in line with the Australian Bureau of Statistics Non Residential Construction Index.

Land values will be indexed annually on the 1st July in accordance with the Consumer Price Index.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*
SCHEDULE 11 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO11.

WYNDHAM WEST DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

All land within the Wyndham West Development Contributions Plan area shown as DCPO11 on the planning scheme maps.

Summary of costs in March 2014 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>$91,234,068</td>
<td>Refer to details in the Wyndham West Development Contributions Plan.</td>
<td>$82,107,386</td>
<td>90%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$144,982,640</td>
<td>Refer to details in the Wyndham West Development Contributions Plan.</td>
<td>$127,174,572</td>
<td>88%</td>
</tr>
<tr>
<td>Bridges</td>
<td>$52,622,586</td>
<td>Refer to details in the Wyndham West Development Contributions Plan.</td>
<td>$37,535,513</td>
<td>71%</td>
</tr>
<tr>
<td>Community centres</td>
<td>$69,627,263</td>
<td>Refer to details in the Wyndham West Contributions Plan.</td>
<td>$55,409,513</td>
<td>80%</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$166,153,592</td>
<td>Refer to details in the Wyndham West Development Contributions Plan.</td>
<td>$150,458,286</td>
<td>90%</td>
</tr>
<tr>
<td>Finance Adjustment</td>
<td>$7,720,266</td>
<td>Refer to details in the Wyndham West Development Contributions Plan.</td>
<td>$7,720,266</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$532,340,415</strong></td>
<td></td>
<td><strong>$460,405,536</strong></td>
<td><strong>86%</strong></td>
</tr>
</tbody>
</table>

Summary of contributions for Charge Area 1 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Development Infrastructure</th>
<th>Community infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All development</td>
<td>Per net developable hectare</td>
</tr>
<tr>
<td>Roads</td>
<td>$42,518</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$73,765</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>$18,769</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community centres</td>
<td>$26,788</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Active recreation</td>
<td>$66,856</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Summary of contributions for Charge Area 2 (Employment) in March 2014 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Community infrastructure</td>
</tr>
<tr>
<td></td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
</tr>
<tr>
<td></td>
<td>Per dwelling</td>
</tr>
<tr>
<td>Finance Adjustment</td>
<td>$5,288</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$233,986</td>
</tr>
</tbody>
</table>

### Summary of contributions for Charge Area 3 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Community infrastructure</td>
</tr>
<tr>
<td></td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
</tr>
<tr>
<td></td>
<td>Per dwelling</td>
</tr>
<tr>
<td>Roads</td>
<td>$42,518</td>
</tr>
<tr>
<td>Intersections</td>
<td>$73,765</td>
</tr>
<tr>
<td>Bridges</td>
<td>$18,769</td>
</tr>
<tr>
<td>Community centres</td>
<td>$0</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$0</td>
</tr>
<tr>
<td>Finance Adjustment</td>
<td>$5,288</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$140,341</td>
</tr>
</tbody>
</table>

### Summary of contributions for Charge Area 4 (Commercial)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Community infrastructure</td>
</tr>
<tr>
<td></td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
</tr>
<tr>
<td></td>
<td>Per dwelling</td>
</tr>
<tr>
<td>Finance Adjustment</td>
<td>$5,288</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$249,353</td>
</tr>
</tbody>
</table>

---

3.1 09/11/2017 GC75

3.2 09/11/2017 GC75
## Summary of contributions for Charge Area 4 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Levies Payable by the Development</th>
<th>Community infrastructure</th>
<th>Community infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Development Infrastructure</td>
<td>All development</td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
<td>Per net developable hectare</td>
<td>Residential</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$97,400</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$73,765</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>$34,137</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community centres</td>
<td>$26,788</td>
<td>$1,150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Active recreation</td>
<td>$66,856</td>
<td>$1,150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance Adjustment</td>
<td>$5,288</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$304,235</td>
<td>$1,150</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Summary of contributions for Charge Area 5 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Levies Payable by the Development</th>
<th>Community infrastructure</th>
<th>Community infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Development Infrastructure</td>
<td>All development</td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
<td>Per net developable hectare</td>
<td>Residential</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$80,670</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$73,765</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>$19,869</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community centres</td>
<td>$26,788</td>
<td>$1,150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Active recreation</td>
<td>$66,856</td>
<td>$1,150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance Adjustment</td>
<td>$5,288</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$273,237</td>
<td>$1,150</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Summary of contributions for Charge Area 6 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Levies Payable by the Development</th>
<th>Community infrastructure</th>
<th>Community infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Development Infrastructure</td>
<td>All development</td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
<td>Per net developable hectare</td>
<td>Residential</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$42,518</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$73,765</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>$18,769</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Levies Payable by the Development Facility

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure</th>
<th>Community infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
<td>Per dwelling</td>
</tr>
<tr>
<td>Community centres</td>
<td>$26,788</td>
<td>$1,150</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$66,856</td>
<td>$1,150</td>
</tr>
<tr>
<td>Finance Adjustment</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$228,697</td>
<td>$1,150</td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Wyndham West Development Contributions Plan.

Note: The development infrastructure costs and levies are in March 2014 dollars.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

Indexation

All capital costs of infrastructure items will be adjusted quarterly in the following manner:

- Roads, intersections and bridges / culverts will be indexed in line with the Australian Bureau of Statistics Road and Bridge Construction Index – Victoria.
- All other items will be indexed in line with the Australian Bureau of Statistics Non Residential Construction Index.

Land or development excluded from development contributions plan

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Railway reservations.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 12 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO12

POINT COOK WEST DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within Point Cook West Precinct Structure Plan area shown as DCPO12 on the planning scheme maps.

2.0

Summary of costs in April 2012 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>$4,606,400</td>
<td>Refer to details in the Point Cook West Development Contributions Plan.</td>
<td>$4,606,400</td>
<td>100%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$7,835,580</td>
<td>Refer to details in the Point Cook West Development Contributions Plan.</td>
<td>$7,835,580</td>
<td>100%</td>
</tr>
<tr>
<td>Community facilities</td>
<td>$10,745,098</td>
<td>Refer to details in the Point Cook West Development Contributions Plan.</td>
<td>$2,237,274</td>
<td>20.8%</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$16,643,500</td>
<td>Refer to details in the Point Cook West Development Contributions Plan.</td>
<td>$13,474,500</td>
<td>81.0%</td>
</tr>
<tr>
<td>Shared Trails</td>
<td>$1,213,000</td>
<td>Refer to details in the Point Cook West Development Contributions Plan.</td>
<td>$794,500</td>
<td>65.5%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$41,043,578</strong></td>
<td></td>
<td><strong>$28,948,254</strong></td>
<td><strong>71.0%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
<th>Development Infrastructure (in April 2012 dollars)</th>
<th>Community infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Per dwelling</td>
<td>Per net developable hectare</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$43,601</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Intersections</td>
<td>$74,165</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Community facilities</td>
<td>$17,233</td>
<td>$1,150</td>
<td>$0</td>
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<tr>
<td>Active recreation</td>
<td>$109,735</td>
<td>$1,150</td>
<td>$0</td>
</tr>
<tr>
<td>Shared trails</td>
<td>$7,520</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$252,254</strong></td>
<td></td>
<td><strong>$1,150</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Point Cook West Development Contributions Plan.
The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0

Indexation

All capital costs of infrastructure items will be adjusted quarterly in the following manner:

- Roads, intersections and bridges / culverts will be indexed in line with the Australian Bureau of Statistics Road and Bridge Construction Index – Victoria.
- All other items will be indexed in line with the Australian Bureau of Statistics Non Residential Construction Index.

Land values will be indexed annually on the 1st July in accordance with the Consumer Price Index.

5.0

Land or development excluded from development contributions plan

- Non government school

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 13 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO13.

WYNDHAM NORTH DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Wyndham North Development Contributions Plan area shown as DCPO13 on the planning scheme maps.

2.0

Summary of costs in June 2014 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>$149,142,960</td>
<td>Refer to details in the Wyndham North Development Contributions Plan.</td>
<td>$145,438,916</td>
<td>98%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$285,404,136</td>
<td>Refer to details in the Wyndham North Development Contributions Plan.</td>
<td>$274,039,273</td>
<td>96%</td>
</tr>
<tr>
<td>Bridges &amp; Culverts</td>
<td>$116,493,653</td>
<td>Refer to details in the Wyndham North Development Contributions Plan.</td>
<td>$110,849,720</td>
<td>95%</td>
</tr>
<tr>
<td>Community centres</td>
<td>$82,868,524</td>
<td>Refer to details in the Wyndham North Contributions Plan.</td>
<td>$82,868,524</td>
<td>100%</td>
</tr>
<tr>
<td>Sports reserves &amp; Indoor recreation</td>
<td>$214,741,590</td>
<td>Refer to details in the Wyndham North Development Contributions Plan.</td>
<td>$214,741,590</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$848,650,864</strong></td>
<td></td>
<td><strong>$827,938,023</strong></td>
<td><strong>98%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions for Charge Area 1 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure (in June 2014 dollars)</td>
</tr>
<tr>
<td></td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
</tr>
<tr>
<td>Roads</td>
<td>$51,726</td>
</tr>
<tr>
<td>Intersections</td>
<td>$97,463</td>
</tr>
<tr>
<td>Bridges &amp; Culverts</td>
<td>$39,424</td>
</tr>
<tr>
<td>Community centres</td>
<td>$25,715</td>
</tr>
<tr>
<td>Sports reserves &amp; Indoor recreation</td>
<td>$69,888</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$284,216</strong></td>
</tr>
</tbody>
</table>
Summary of contributions for Charge Area 2 (Employment) in June 2014 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable by the Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>All development</td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare</td>
</tr>
<tr>
<td>Roads</td>
<td>$51,726</td>
</tr>
<tr>
<td>Intersections</td>
<td>$97,463</td>
</tr>
<tr>
<td>Bridges &amp; Culverts</td>
<td>$39,424</td>
</tr>
<tr>
<td>Community centres</td>
<td>$0</td>
</tr>
<tr>
<td>Sports reserves &amp; Indoor recreation</td>
<td>$0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$188,613</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Wyndham North Development Contributions Plan.

**The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)**

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

**Indexation**

All capital costs of infrastructure items will be adjusted quarterly in the following manner:

- Roads, intersections and bridges/culverts will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Road and Bridge Construction Index, Victoria.
- All other infrastructure items will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Non-Residential Construction Index, Victoria.

**Land or development excluded from development contributions plan**

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 14 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO14.

EAST WERRIBEE EMPLOYMENT PRECINCT DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

Land in the City of Wyndham shown on the Planning Scheme maps as being within Schedule 14 to the Development Contributions Plan Overlay.

Summary of costs in August 2013 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road</td>
<td>$35,096,581</td>
<td>Refer to details in the East Werribee Employment Precinct Development Contributions Plan.</td>
<td>$35,096,581</td>
<td>100%</td>
</tr>
<tr>
<td>Intersection</td>
<td>$51,188,498</td>
<td>Refer to details in the East Werribee Employment Precinct Development Contributions Plan.</td>
<td>$51,188,498</td>
<td>100%</td>
</tr>
<tr>
<td>Bridges &amp; Drainage</td>
<td>$39,171,190</td>
<td>Refer to details in the East Werribee Employment Precinct Development Contributions Plan.</td>
<td>$39,171,190</td>
<td>100%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$12,979,773</td>
<td>Refer to details in the East Werribee Employment Precinct Development Contributions Plan.</td>
<td>$12,979,773</td>
<td>100%</td>
</tr>
<tr>
<td>Recreation</td>
<td>$24,333,437</td>
<td>Refer to details in the East Werribee Employment Precinct Development Contributions Plan.</td>
<td>$24,333,437</td>
<td>100%</td>
</tr>
<tr>
<td>Shared Trail</td>
<td>$4,652,197</td>
<td>Refer to details in the East Werribee Employment Precinct Development Contributions Plan.</td>
<td>$4,652,197</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$167,421,675</strong></td>
<td></td>
<td><strong>$167,421,675</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies payable by the development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Infrastructure (in August 2013 dollars)</td>
<td>Community Infrastructure</td>
</tr>
<tr>
<td>Charge Area 1</td>
<td>Charge Area 2</td>
</tr>
<tr>
<td>Per NDHa</td>
<td>Per Dwelling</td>
</tr>
<tr>
<td>Road</td>
<td>$79,578</td>
</tr>
<tr>
<td>Intersection</td>
<td>$120,146</td>
</tr>
</tbody>
</table>
## Facility Levies payable by the development

<table>
<thead>
<tr>
<th>Facility</th>
<th>Charge Area 1</th>
<th>Charge Area 2</th>
<th>Charge Area 3</th>
<th>Charge Area 4</th>
<th>Charge Area 5</th>
<th>Residential (in Charge Areas 1 &amp; 5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridges &amp; Drainage</td>
<td>$88,403</td>
<td>$88,403</td>
<td>$88,403</td>
<td>$88,403</td>
<td>$88,403</td>
<td>$376.17</td>
</tr>
<tr>
<td>Community Facility</td>
<td>$35,387</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$35,387</td>
<td>$376.17</td>
</tr>
<tr>
<td>Recreation</td>
<td>$59,342</td>
<td>$4,514</td>
<td>$4,514</td>
<td>$4,514</td>
<td>$59,342</td>
<td>$773.83</td>
</tr>
<tr>
<td>Shared Trail</td>
<td>$10,632</td>
<td>$10,632</td>
<td>$10,632</td>
<td>$9,501</td>
<td>$10,632</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$393,488</strong></td>
<td><strong>$302,450</strong></td>
<td><strong>$302,450</strong></td>
<td><strong>$262,006</strong></td>
<td><strong>$393,488</strong></td>
<td><strong>$1,150.00</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the *East Werribee Employment Precinct Development Contributions Plan*.

**The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)**

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

### Conditions for permits

**Conditions for subdivision permits where a development infrastructure levy is payable**

A Development Infrastructure Levy must be paid to the Growth Areas Authority (the Collecting Agency) in accordance with the provisions of the approved Development Contributions Plan applying to the land. If there is no approved Public Infrastructure Plan or if the approved Public Infrastructure Plan does not specify a time when payments must be made, then the Development Infrastructure Levy must be paid to the Growth Areas Authority within the time specified in the Development Contributions Plan or if no time is specified then after certification of the relevant plan of subdivision but not more than 21 days before a Statement of Compliance is issued in respect of that plan under the Subdivision Act 1988.

Where there is no approved Public Infrastructure Plan a Schedule of Development Contributions must be submitted with each stage of the plan of subdivision. This Schedule of Development Contributions must show the amount of development contributions likely to be payable for each subsequent stage and the value of the development contributions in respect of prior stages to the satisfaction of the Growth Areas Authority (the Collecting Agency).
Conditions for buildings and works permits where a development infrastructure levy is payable

A Development Infrastructure Levy must be paid to the Growth Areas Authority (the Collecting Agency) in accordance with the provisions of the approved Development Contributions Plan applying to the land. If there is no approved Public Infrastructure Plan or if the approved Public Infrastructure Plan does not specify a time when payments must be made, then the Development Infrastructure Levy must be paid to the Growth Areas Authority prior to the commencement of any development unless some other time has been agreed with the Growth Areas Authority.

Exemption – non-government schools

The development of land for a non-government school is exempt from the requirement to pay a development infrastructure levy and a community infrastructure levy under the East Werribee Employment Precinct Development Contributions Plan.

Indexation

All capital costs of infrastructure items will be adjusted quarterly in the following manner:

- Roads, intersections and bridges / culverts will be indexed in line with the Australian Bureau of Statistics Road and Bridge Construction Index – Victoria.

- All other items will be indexed in line with the Australian Bureau of Statistics Non Residential Construction Index.

Land values will be indexed annually on the 1st July in accordance with the Consumer Price Index.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 15 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO15.

TARNEIT NORTH LOCAL DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

Tarneit North Precinct (bounded by Boundary, Tarneit, Dohertys, and Davis Roads), as shown on the planning scheme maps as DCPO15.

2.0

Summary of costs

None specified.

The preparation and incorporation of a local development contributions plan is required. The DCP should provide for contributions towards the efficient delivery of:

- Connector roads & connector road crossings of waterways.
- Shared paths.
- Passive open space.

3.0

Summary of contributions

None specified.

The preparation and incorporation of a local development contributions plan is required. Contribution levies will be payable across at least two charge areas, including land designated as ‘office and light industry’ under the Tarneit North Precinct Structure Plan, and all other land within the DCPO15 area.

4.0

Land or development excluded from development contributions plan

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a government primary school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

A permit may be granted to subdivide or use land, construct a building or construct and carry out works before a development contributions plan has been prepared to the satisfaction of the responsible authority if an agreement under Section 173 of the Planning and Environment Act 1987 has been entered into with the responsible authority that makes provision for development contributions.
SCHEDULE 16 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO16.

POINT COOK SOUTH DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan
All urban growth area precincts in Point Cook as described in DCPO16.

2.0

Permits before incorporation of a development contributions plan
A permit may be granted to subdivide land, construct a building or construct or carry out works prior to the incorporation of a development contributions plan, if the permit contains a condition requiring the land owner to enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority that provides for the owner to make development contributions to the satisfaction of the responsible authority.

3.0

Summary of costs
None specified.

4.0

Summary of contributions
None specified.

5.0

Land or development excluded from development contributions plan
Land required for the following is exempt from the provisions of this overlay:

- Non-government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
PARKING OVERLAY

Shown on the planning scheme map as PO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To facilitate an appropriate provision of car parking spaces in an area.
To identify areas and uses where local car parking rates apply.
To identify areas where financial contributions are to be made for the provision of shared car parking.

Operation

This overlay operates in conjunction with Clause 52.06.
A schedule to this overlay may:
- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

Parking objectives

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

Permit requirement

A schedule to this overlay may specify that:
- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

Number of car parking spaces required

A schedule to this overlay may:
- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

Application requirements and decision guidelines for permit applications

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:
The parking objectives of the relevant schedule to this overlay.

Any application requirements and decision guidelines specified in a schedule to this overlay.

**Financial contribution requirement**

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

**Requirements for a car parking plan**

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

**Design standards for car parking**

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

**Decision guidelines for car parking plans**

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.
SCHEDULE 1 TO THE PARKING OVERLAY

Shown on the planning scheme map as PO1.

WERRIBEE CITY CENTRE

1.0

Car parking objectives

- To sufficiently and efficiently provide for car parking in the Werribee City Centre.
- To consolidate car parking into large, well located, easily accessible and locatable facilities where possible.
- To provide for the collection of financial contributions towards the construction of shared car parking facilities.

2.0

Number of car parking spaces

The required number of car parking spaces is shown in Table 1. The requirement for a use listed in the table is the product of the rate and the measure.

If a use is not specified in Table 1, car parking spaces must be provided in accordance with Column A of Table 1 at Clause 52.06.

Table 1: Car parking spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate</th>
<th>Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>1</td>
<td>To each one or two-bedroom dwelling, plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom) plus</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>For visitors to every 5 dwellings for developments of 5 or more dwellings</td>
</tr>
<tr>
<td>Office other than listed in Table 1 of Clause 52.06</td>
<td>3</td>
<td>Car spaces to each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Restaurant</td>
<td>3.5</td>
<td>Car spaces to each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

3.0

Decision guidelines for permit applications

The responsible authority will protect adjoining residential areas from the intrusion of car parking associated with developments within the Werribee City Centre by considering the effects of car parking on adjoining residential areas before any variation of the requirements is granted.

4.0

Financial contributions requirement

Within the precinct defined in this schedule, the responsible authority may, at its absolute discretion, consider accepting a financial contribution in-lieu of one or more car parking spaces required under this Clause 45.09 and/or Clause 52.06, provided the following criteria are met, to the satisfaction of the responsible authority:

i. The applicant demonstrates that the car parking requirement cannot be practically provided on site or nearby;

ii. The small number of car parking spaces to be provided will not achieve on-site the objective of consolidating car parking into large, well located, easily accessible and locatable facilities; and

iii. The applicant agrees, under Section 173 of the Planning & Environment Act 1987, to the financial contribution being applied to the provision of public shared parking, at any site in or adjacent to the Werribee City Centre, as determined by the responsible authority.
The financial contribution rate is $12,500 (plus GST) for each car space. The amount of contribution for each space specified above will be adjusted by the responsible authority on 1 July each year, commencing from 1 July 2011, by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook. If that index is unavailable, an equivalent index will be applied by the responsible authority.

Any financial contribution must be paid in full prior to the commencement of any use or development of the land, unless otherwise agreed in writing by the responsible authority.

All funds collected by the responsible authority must be utilised on public parking projects within the Werribee City Centre or adjacent to the Werribee City Centre in accordance with the Consolidated Parking Master Plan as shown in Figure 1, including (where appropriate) multi storey facilities and provision of bicycle parking facilities.

**Reference document**

*Werribee City Centre Parking Precinct Plan 2013 (Wyndham City Council) as amended from time to time.*
Figure 1: Consolidated Parking Master Plan
SPECIFIC CONTROLS OVERLAY

Purpose
To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

Use or development
Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

Expiry of a specific control
If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
## Specific controls

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Name of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCO1</td>
<td>Cherry Creek Youth Justice Redevelopment Project, Incorporated Document, August 2018</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>Lot 2 on PS 204293L Hogans Road, Tarneit, more particularly described as all the land in Certificate of Title Vol 9732 Fol 525.</td>
<td>Lot 2 PS 204293L Hogans Road, Tarneit Subdivision Plan.</td>
</tr>
<tr>
<td>The Melbourne to Geelong Railway shown on the project area maps for the Regional Fast Rail Project and the Fibre Optic Project in the incorporated document.</td>
<td>Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002.</td>
</tr>
<tr>
<td>Lot AA on PS 416078S Wallace Avenue, Point Cook, being land abutting the Princes Freeway and divided by the Forsyth Road Reservation.</td>
<td>Plan of Subdivision Lots A &amp; B on PS 44481D, Forsyth Road, Point cook 27 November 2002.</td>
</tr>
<tr>
<td>All the land affected by Development Plan Overlay, Wyndham Harbour, Werribee South.</td>
<td>Wyndham Harbour Development.</td>
</tr>
<tr>
<td>Lot 2, LP138922, 391-395 Point Cook Road, Point Cook.</td>
<td>Plan of Subdivision Lots A &amp; B on PS 44481D, Forsyth Road, Point Cook 27 November 2002.</td>
</tr>
<tr>
<td>The land required for or in conjunction with the Regional Rail Link Project as included in clause 3 of the incorporated document.</td>
<td>Regional Rail Link Project Section 2 Incorporated Document, March 2015.</td>
</tr>
<tr>
<td>The corridor for the Geelong Melbourne Interconnection Project shown on the project plans included in the incorporated document.</td>
<td>Melbourne Geelong Interconnection Project, June 2010.</td>
</tr>
<tr>
<td>Land required for the Palms Road and Robinsons Road Upgrade as identified in clause 3 of the incorporated document.</td>
<td>Palms Road and Robinsons Road Upgrade (Sayers Road to Western Freeway, Truganina) Incorporated Document, July 2012.</td>
</tr>
<tr>
<td>171-181 Fitzgerald Road, Laverton North.</td>
<td>Coogee Energy Titanium Project - Native Vegetation Offsets, October 2014.</td>
</tr>
<tr>
<td>Lot 6 and 7 on Plan of Subdivision 544401W, Volume 11025 Folio 585 also known as 40 Wallace Avenue (formerly part of 22-30 Wallace Avenue) Point Cook.</td>
<td>40 Wallace Avenue, Point Cook Incorporated Document, December 2013.</td>
</tr>
</tbody>
</table>
METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

Purpose
To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.
To protect productive agricultural land from incompatible uses and development.
To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.
To encourage the location of urban activities in urban areas.
To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.
To provide deeming provisions for metropolitan green wedge land.

Application
These provisions apply to land in Metropolitan Melbourne that is outside an Urban Growth Boundary as shown on a planning scheme map in this scheme, unless any of the following apply:

- The land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone, Industrial 1 Zone, Industrial 2 Zone, Industrial 3 Zone, Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Public Use Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone, Road Zone or Urban Floodway Zone.
- The land is identified in the schedule to this clause.

Use of land
A use listed in the table to this clause is prohibited. This does not apply if a condition opposite the use is met.

Table to Clause 51.02-2

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential building)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td>Display home centre</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Restaurant, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 40 dwellings.</td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre, and Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 80 bedrooms.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be on land in a Rural Conservation Zone.</td>
</tr>
</tbody>
</table>

**Subdivision**

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**Existing uses**

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.
Transitional arrangements for permit applications

The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or this clause would apply to such an application. This does not apply to a permit application to subdivide land.

Deeming provisions for land outside an urban growth boundary

Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone.

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone.
# SCHEDULE TO CLAUSE 51.02 METROPOLITAN GREEN WEDGE LAND

## Land where core planning provisions apply

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>All the land affected by Development Plan Overlay 9, Wyndham Harbour, Werribee South</td>
</tr>
<tr>
<td>Special Use Zone 4, K Road Tourism Precinct, south of Princes Freeway, west of K Road, both sides of the Werribee River</td>
</tr>
</tbody>
</table>
PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose

To enable the removal and variation of an easement or restriction to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
SCHEDULE TO CLAUSE 52.02

Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement Or Restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reserve for Municipal Purposes on Plan of Subdivision No. 203656F being land in Certificate of Title Volume 9720 Folio 671</td>
<td>Reservation.</td>
<td>The body in which the land is vested is required and authorised to lodge at the Titles Office for registration, a certified plan to remove the reservation from the land.</td>
</tr>
<tr>
<td>Any lot on:</td>
<td>Restriction preventing building within 60 feet of Derrimut Road.</td>
<td>The removal of the restriction is authorised.</td>
</tr>
<tr>
<td>Plan of Subdivision 701125S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lodged Plan 82234</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lodged Plan 86659</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lodged Plan 97350</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Under Section 24A of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Person</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Under Section 36 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or right of way</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SATELLITE DISH

Purpose

To provide an opportunity to consider the impact of a satellite dish attached to a building or structure listed in a schedule to the Heritage Overlay.

To provide an opportunity to consider the effect of a satellite dish on the amenity of residential areas.

Application

This clause applies to:

- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

Permit requirement

A permit is required to use land or to construct or install or carry out works for a satellite dish (whether or not it forms part of a network) even if it is ancillary to another use on the land.

This does not apply to a satellite dish with a diameter:

- Less than 1.2 metres.
- Between 1.2 metres and 2.4 metres provided:
  - The dish is not visible from the street (other than a lane) or a public park,
  - The dish is setback from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, and
  - The dish is setback at least 3 metres from the boundary where it is opposite an existing habitable room window.

Decision guidelines

Before deciding on an application, in addition to Clause 15.01-2S and the decision guidelines in clause 65, the responsible authority must consider the effect of the satellite dish on the visual amenity of nearby land.
SIGNS

Purpose
To regulate the development of land for signs and associated structures.
To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
To ensure signs do not contribute to excessive visual clutter or visual disorder.
To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Application
This clause applies to the development of land for signs.

Requirements
Sign categories
Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.
Each category is divided into three sections.
If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1
A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.
Some overlays require a permit for Section 1 signs.

Section 2
A permit is required to construct or put up for display a sign in Section 2.
This does not apply to a sign specified in Clause 52.05-10.
All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3
A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</td>
<td></td>
</tr>
<tr>
<td>The sign is not within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Clause 59.09</td>
</tr>
</tbody>
</table>
### Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.</td>
</tr>
<tr>
<td>• The display area of the sign does not exceed 10 square metres.</td>
</tr>
</tbody>
</table>

---

#### Referral of applications

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

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#### Expiry of permits

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

---

#### Existing signs

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

• The display area is to be increased.

• The renewal or replacement would result in a different type of sign.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

• until 31 December 2008; or

• where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

---

#### Application requirements

An application must be accompanied by the following information, as appropriate:

**Site context**

• A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Road Zone or a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

Exemption from notice and review

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

Impacts on views and vistas:
- The potential to obscure or compromise important views from the public realm.
- The potential to dominate the skyline.
- The potential to impact on the quality of significant public views.
- The potential to impede views to existing signs.

The relationship to the streetscape, setting or landscape:
- The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
- The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
- The ability to screen unsightly built or other elements.
- The ability to reduce the number of signs by rationalising or simplifying signs.
- The ability to include landscaping to reduce the visual impact of parts of the sign structure.

The relationship to the site and building:
- The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
- The extent to which the sign displays innovation relative to the host site and host building.
- The extent to which the sign requires the removal of vegetation or includes new landscaping.

The impact of structures associated with the sign:
- The extent to which associated structures integrate with the sign.
- The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.

The impact of any illumination:
- The impact of glare and illumination on the safety of pedestrians and vehicles.
- The impact of illumination on the amenity of nearby residents and the amenity of the area.
- The potential to control illumination temporally or in terms of intensity.

The impact of any logo box associated with the sign:
- The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
- The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

The need for identification and the opportunities for adequate identification on the site or locality.

The impact on road safety. A sign is a safety hazard if the sign:
Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.

Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.

Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.

Is at a location where particular concentration is required, such as a high pedestrian volume intersection.

Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.

Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.

Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.

Is within 100 metres of a rural railway crossing.

Has insufficient clearance from vehicles on the carriageway.

Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, view line, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
Mandatory conditions

All signs
A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs
A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

Signs not requiring a permit
Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.

- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.

- A sign at a hospital that gives direction to emergency facilities.

- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.

- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.

- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.

- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
- A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

- A sign inside a building that cannot generally be seen outside.

- A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

- A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

- A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

- A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

- A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:
  - The display area to exceed 10 square metres if the sign concerns more than 20 lots.
  - The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
  - The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

52.05-11
31/07/2018
VC148

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>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>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
</tbody>
</table>
### ConditionSign

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 2 - Office and industrial

#### Low limitation

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 3 - High amenity areas

Medium limitation

Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Electronic sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 4 - Sensitive areas

Maximum limitation

Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business identification sign</td>
<td>The total display area to each premises must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>
### SCHEDULE TO CLAUSE 52.05 ADVERTISING SIGNS

<table>
<thead>
<tr>
<th>Land</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
CAR PARKING

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Scope

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Provision of car parking spaces

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Permit requirement

A permit is required to:
- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.

- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.

- The gross floor area of the building is not increased.

- The reduction does not exceed 10 car parking spaces.

- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

**Exemption from notice and review**

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or

- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Number of car parking spaces required under Table 1**

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or

- a percentage of the total site area that must be set aside for car parking.
A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

**Table 1: Car parking requirement**

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Art &amp; craft centre</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Bar</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Space to each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Betting agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Bowling green</td>
<td>6</td>
<td>6</td>
<td>To each rink plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Child care centre</td>
<td>0.22</td>
<td>0.22</td>
<td>To each child</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>0.3</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-----------------------------------------------------------</td>
</tr>
<tr>
<td>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td>3.5</td>
<td>To each premises</td>
</tr>
<tr>
<td>Display home centre</td>
<td>5</td>
<td></td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3.5</td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td>Dwelling</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every 5 dwellings for developments of 5 or more dwellings</td>
</tr>
<tr>
<td>Education centre other than listed in this table</td>
<td>0.4</td>
<td>0.3</td>
<td>To each student that is part of the maximum number of students on the site at any time</td>
</tr>
<tr>
<td>Food and drink premises other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Freezing and cool storage,</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Golf course</td>
<td>4</td>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>1</td>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td></td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Milk depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Motel</td>
<td>1</td>
<td>1</td>
<td>To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Motor repairs</td>
<td>3</td>
<td>3</td>
<td>To each 100 sq m of net floor area plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners</td>
</tr>
<tr>
<td>Office other than listed in this table</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Place of assembly other than listed in this table</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Postal agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1</td>
<td>1</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each lodging room</td>
</tr>
<tr>
<td>Residential village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Retirement village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Restaurant</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></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>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Store other than listed in this table</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Supermarket</td>
<td>5</td>
<td>5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Swimming pool – other than in conjunction with a dwelling</td>
<td>5.6</td>
<td>5.6</td>
<td>To each 100 sq m of the site</td>
</tr>
<tr>
<td>Tennis court – other than in conjunction with a dwelling</td>
<td>4</td>
<td>4</td>
<td>To each court plus 50% of the requirement of any ancillary use</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>5</td>
<td></td>
<td>To the first person providing animal health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Warehouse other than listed in this table</td>
<td>2</td>
<td>2</td>
<td>To each premises plus</td>
</tr>
<tr>
<td></td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Winery</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

### Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

### Application requirements and decision guidelines for permit applications

#### For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
The short-stay and long-stay car parking demand likely to be generated by the proposed use.

The availability of public transport in the locality of the land.

The convenience of pedestrian and cyclist access to the land.

The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.

The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.

Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

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>45°</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>Angle of car parking spaces to access way</td>
<td>Accessway width</td>
<td>Car space width</td>
<td>Car space length</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.

- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space. Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:

- the new use commences; or
- the floor area or site area of the existing use is increased; or
- the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Mineral extraction</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
</tr>
<tr>
<td>Petroleum exploration</td>
</tr>
<tr>
<td>Petroleum extraction</td>
</tr>
</tbody>
</table>

Application requirements for mineral extraction

An application to use and develop land for mineral extraction must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.
Referral requirements for mineral extraction

Before deciding on any applications to use and develop land for mineral extraction the Responsible Authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.08-2 do not apply to an application to use and develop land for mineral extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
STONE EXTRACTION AND EXTRACTIVE INDUSTRY INTEREST AREAS

Purpose
To ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.
To ensure that excavated areas can be appropriately rehabilitated.
To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.

Application
These provisions apply to planning permit applications for:
- The use and development of land for stone extraction.
- The use and development of land within an extractive industry interest area.
- The use and development of land within 500 metres of stone extraction.

Permit exemptions for stone extraction
A permit to use and develop land for stone extraction will not be required if the conditions in the table to Clause 52.08-1 are met.

Application requirements
An application to use and develop land for stone extraction must be accompanied by:
- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.

These requirements do not apply to an application to use and develop land for stone extraction which is exempt from:
- The requirement to obtain a work plan under Section 77G of the Mineral Resources (Sustainable Development) Act 1990, or
- The provisions of the Mineral Resources (Sustainable Development) Act 1990 under Section 5AA of that Act.

Referral requirements
Before deciding on any applications to use and develop land for stone extraction the responsible authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.
Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.09-4 do not apply to an application to use and develop land for stone extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, responsible authority must consider, as appropriate:

- The effect of the proposed stone extraction on any native flora and fauna on and near the land.
- The impact of the stone extraction operations on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the stone extraction operation on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the stone extraction operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the *Mineral Resources (Sustainable Development) Act 1990* and other relevant regulations.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed stone extraction on groundwater and quality and the impact on any affected water uses.
- The impact of the proposed stone extraction on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement issued under the *Mineral Resources (Sustainable Development) Act 1990*.

### Permit conditions for stone extraction

A permit for the use and development of land for stone extraction must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit for the use and development of land for stone extraction must include conditions which are consistent with the requirements specified in Clause 52.09-7.

### Requirements for the use and development of land for stone extraction

#### Boundary setback

Except with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land. This does not apply to driveways, drains, bund walls or landscaping.

#### Screen planting

Shrubs and trees must be planted and maintained to screen activity on the site to the satisfaction of the responsible authority.

#### Parking areas

Parking areas must be provided for employees’ cars and all vehicles used on the site to the satisfaction of the responsible authority.
Notice of an application

Notice of the kinds of application listed below must be given under section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for Accommodation, Child care centre, Education centre or Hospital:
  - Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

These requirements do not apply to an extension to buildings or works.
HOME BASED BUSINESS

Purpose
To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

Requirements to be met
A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

Permit requirement
Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
- Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
BUSHFIRE PROTECTION: EXEMPTIONS

Exemption to create defendable space around buildings used for accommodation

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay or is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation where land is within the Bushfire Management Overlay and where the existing building was:
  - constructed before 10 September 2009 or lawfully erected before 18 November 2011 without the need for a planning permit; or
  - approved by a permit issued under this scheme before 10 September 2009 and erected before 18 November 2011; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009 and erected before 18 November 2011; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay.

Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 August 2012).

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
## SCHEDULE TO CLAUSE 52.12 BUSHFIRE PROTECTION: EXEMPTIONS

### 1.0

**Exemptions for vegetation removal**

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

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**WYNDHAM PLANNING SCHEME**

31/07/2018

VC148

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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 31 March 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 31 March 2020 unless in accordance with the requirements of this scheme.

### Decision guidelines

Before deciding on an application to allow the retention or continuing use of a building, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose

To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,
    that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.

- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.

- The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.

- The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.

- The existing and proposed access to the lot.
Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.

For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - The location and dimensions of vehicle access.
  - The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
  - The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

**Commencement of development**

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

**Compliance with site plan**

- The development must comply with the approved site plan.

**Use and development conditions**

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.

- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.

- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.

- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.

For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.

### 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>
</tr>
<tr>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td><strong>General</strong></td>
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<td></td>
</tr>
</tbody>
</table>

Application requirements
An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

Decision guidelines

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
NATIVE VEGETATION PRECINCT PLAN

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Application

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

Native vegetation precinct plans

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

Permit requirement

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.
Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Conservation work</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Crown land</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987); or</td>
</tr>
<tr>
<td></td>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Native vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or
- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

### Geothermal energy exploration and extraction
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.

### Greenhouse gas sequestration and exploration
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.

### Land management or directions notice
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.

### Land use conditions
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.

### Mineral exploration and extraction
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990:
- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or
- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.

Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

### Pest animal burrows
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988.

### Planted vegetation
Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

### Railways
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Regrowth</strong></td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
</tr>
<tr>
<td><strong>Road safety</strong></td>
<td>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).</td>
</tr>
<tr>
<td><strong>Stone exploration</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of native vegetation which does not include a tree.</td>
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<tr>
<td></td>
<td>- 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeasing and bulk sampling activities.</td>
</tr>
<tr>
<td><strong>Stone extraction</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act.</td>
</tr>
<tr>
<td><strong>Surveying</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a 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.</td>
</tr>
<tr>
<td><strong>Traditional owners</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- a natural resource agreement under Part 6 of the Traditional Owner Settlement Act 2010; or</td>
</tr>
<tr>
<td></td>
<td>- an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional Owner Settlement Amendment Act in 2016 (1 May 2017).</td>
</tr>
<tr>
<td><strong>Utility installations</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</td>
</tr>
<tr>
<td></td>
<td>- to maintain the safe and efficient function of a Minor utility installation; or</td>
</tr>
<tr>
<td></td>
<td>- 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).</td>
</tr>
</tbody>
</table>
# SCHEDULE TO CLAUSE 52.16

## Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Truganina South Community Precinct Structure Plan (including the Truganina South Native Vegetation Precinct Plan), May 2011</td>
<td></td>
</tr>
<tr>
<td>Manor Lakes Native Vegetation Precinct Plan, March 2012</td>
<td></td>
</tr>
<tr>
<td>Point Cook West Precinct Structure Plan (including the Point Cook West Native Vegetation Precinct Plan), October 2012</td>
<td></td>
</tr>
<tr>
<td>Black Forest Road South Native Vegetation Precinct Plan, April 2013</td>
<td></td>
</tr>
<tr>
<td>East Werribee Employment Precinct Native Vegetation Precinct Plan, September 2013</td>
<td></td>
</tr>
</tbody>
</table>
NATIVE VEGETATION

Purpose

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Permit requirement

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Property vegetation plans

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.
Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</td>
</tr>
<tr>
<td></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td></td>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td></td>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Dead native vegetation</td>
<td>Native vegetation that is dead.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>Emergency works</td>
<td>Native vegetation that is to be removed, destroyed, or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

**Existing buildings**
Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008.

This exemption does not apply to:
- the operation or maintenance of a fence; or
- native vegetation located more than 10 metres measured from the outermost point of the building.

**Existing buildings and works in the Farming Zone and Rural Activity Zone**
Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone.

This exemption does not apply to:
- the use or maintenance of a Dwelling; or
- the operation or maintenance of a fence; or
- native vegetation located more than 10 metres measured from the outermost point of the building or works.

**Fences**
Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:
- the operation or maintenance of an existing fence; or
- the construction of a boundary fence between properties in different ownership.

The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.

**Fire protection**
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities:
- fire fighting;
- planned burning;
- making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - Section 65 of the Forests Act 1958; or
  - Section 41 of the Country Fire Authority Act 1958.
- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>The requirement to obtain a permit does not apply to:</td>
<td>- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.</td>
</tr>
<tr>
<td>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</td>
<td></td>
</tr>
<tr>
<td>Geothermal energy exploration and extraction</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td>Grasses</td>
<td>Native grass that is to be mowed or slashed for maintenance only, provided that the grass is:</td>
</tr>
<tr>
<td></td>
<td>- located within a lawn, garden or other landscaped area; or</td>
</tr>
<tr>
<td></td>
<td>- maintained at a height of at least 10 centimetres above ground level.</td>
</tr>
<tr>
<td>Grazing</td>
<td>Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on:</td>
</tr>
<tr>
<td></td>
<td>- freehold land; or</td>
</tr>
<tr>
<td></td>
<td>- Crown land in accordance with a license, permit or lease granted under applicable legislation.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Harvesting for timber production naturally established native vegetation</td>
<td>Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the Code of Practice for Timber Production 2014 and are:</td>
</tr>
<tr>
<td></td>
<td>- undertaken on public land under a licence or permit issued under section 52 of the Forests Act 1958; or</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Lopping and pruning for maintenance</td>
<td>Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>- the pruning or lopping of the trunk of a native tree; or</td>
</tr>
<tr>
<td></td>
<td>- native vegetation on a roadside or railway reservation.</td>
</tr>
<tr>
<td><strong>The requirement to obtain a permit does not apply to:</strong></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Mineral exploration and extraction</strong></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 <em>Mineral Resources (Sustainable Development) Act 1990</em>:</td>
</tr>
<tr>
<td></td>
<td>• that is low impact exploration within the meaning of Schedule 4A of the <em>Mineral Resources (Sustainable Development) Act 1990</em>; or</td>
</tr>
<tr>
<td></td>
<td>• in accordance with a work plan approved under Part 3 of the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
</tr>
<tr>
<td><strong>New buildings and works in the Farming Zone and Rural Activity Zone</strong></td>
<td>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.</td>
</tr>
<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 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>• 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising.</td>
</tr>
<tr>
<td><strong>New dwellings in the Farming Zone and Rural Activity Zone</strong></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>• 300 square metres of native vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>• 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>• 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to the construction or operation of a swimming pool, tennis court or horse ménage.</td>
</tr>
<tr>
<td><strong>Personal use</strong></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>• contiguous land in one ownership that has an area of less than 10 hectares;</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- in accordance with written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988; or</td>
</tr>
<tr>
<td>- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:</td>
</tr>
<tr>
<td>- 1 hectare of native vegetation which does not include a tree; or</td>
</tr>
<tr>
<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>

### Planted vegetation

<table>
<thead>
<tr>
<th>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.</th>
</tr>
</thead>
<tbody>
<tr>
<td>This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</td>
</tr>
</tbody>
</table>

### Railways

<table>
<thead>
<tr>
<th>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).</th>
</tr>
</thead>
</table>

### Regrowth

<table>
<thead>
<tr>
<th>Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- less than 10 years old; or</td>
</tr>
<tr>
<td>- bracken (Pteridium esculentum); or</td>
</tr>
<tr>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or</td>
</tr>
<tr>
<td>- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), and is:</td>
</tr>
<tr>
<td>- shown on that plan as being ‘certified regrowth’; and</td>
</tr>
<tr>
<td>- on land that is to be used or maintained for cultivation or pasture during the term of that plan.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>Category</td>
</tr>
<tr>
<td>--------------------------------</td>
</tr>
<tr>
<td>Road safety</td>
</tr>
<tr>
<td>Site area</td>
</tr>
<tr>
<td>Stock movements on roads</td>
</tr>
<tr>
<td>Stone exploration</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Surveying</td>
</tr>
<tr>
<td>Traditional owners</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Utility installations</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

### Vehicle access from public roads

Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.

- This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.
- This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.

In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.*

### Weeds

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.
## 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>Area of land required for the Palmers Road extension and covered by the Public Acquisition Overlay</td>
<td>All native vegetation including trees, shrubs, herbs and grasses: the minimum extent necessary for works associated with the construction of the Palmers Road extension, associated connection to the Princes Freeway and local access/service roads</td>
</tr>
<tr>
<td>Land in a Public Use Zone 4 for the Williams Landing Railway Station and associated facilities</td>
<td>Native vegetation required to be removed, destroyed or lopped to enable the land to be developed for the Williams Landing Railway Station and associated facilities</td>
</tr>
<tr>
<td>Land shown as UGZ4 on the planning scheme maps and land adjacent UGZ4 on the western side of the Geelong Road reserve.</td>
<td>All native vegetation including trees, shrubs, herbs and grasses except the River Red Gum adjacent the western boundary of Lot 1 PS627044 (southwest corner of Alfred and Geelong Roads, Werribee). The River Red Gum may be lopped to the minimum extent necessary for works to create drainage and recreation infrastructure on the land.</td>
</tr>
<tr>
<td>Land shown as UGZ8 or IPO3 on the planning scheme maps.</td>
<td>Shown as ‘Native vegetation which can be removed’ on Plan 6 in the incorporated Ballan Road Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the Environment Protection and Biodiversity Protection Act 1987 (Cth).</td>
</tr>
<tr>
<td>Land shown as UGZ9 or IPO3 on the planning scheme maps.</td>
<td>Shown as ‘Native vegetation that can be removed’ on Plan 5 in the incorporated Westbrook Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the Environment Protection and Biodiversity Protection Act 1987 (Cth).</td>
</tr>
<tr>
<td>Land shown as UGZ10 or IPO4 on the planning scheme maps.</td>
<td>Shown as ‘Native vegetation that can be removed’ on Plan 5 in the incorporated Truganina Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the Environment Protection and Biodiversity Protection Act 1987 (Cth).</td>
</tr>
<tr>
<td>Land shown as UGZ11, IPO3 or IPO4 on the planning scheme maps.</td>
<td>Shown as ‘Native vegetation that can be removed’ on Plan 5 in the incorporated Riverdale Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the Environment Protection and Biodiversity Protection Act 1987 (Cth).</td>
</tr>
<tr>
<td>Land shown as UGZ13, SUZ7 or SUZ8 on the planning scheme maps.</td>
<td>Shown as ‘Native vegetation that can be removed’ on Plan 5 in the incorporated Tarneit North Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the Environment Protection and Biodiversity Protection Act 1987 (Cth).</td>
</tr>
<tr>
<td>Land shown as UGZ15 on the planning scheme maps</td>
<td>Shown as “Native vegetation that can be removed” on Plan 3 in the incorporated Lincoln Heath South Precinct Structure Plan following the provision of offsets for the removed vegetation to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning; and Any native vegetation not shown on Plan 3 in the incorporated Lincoln Heath South Precinct Structure Plan.</td>
</tr>
</tbody>
</table>
Area | Description of native vegetation for which no permit is required to remove, destroy or lop
---|---
Land shown as UGZ7 on the planning scheme maps. | All native vegetation, except the existing trees identified as 'native vegetation' on Plan 2 in the incorporated Black Forest Road North Precinct Structure Plan, where the removal, destruction or lopping is carried out in accordance with the 'Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013' pursuant to section 146B of the Environment Protection and Biodiversity Protection Act 1987 (Cth).

2.0
15/09/2008
VC49

Scheduled weed

Area | Description of weed
---|---
None specified |

3.0
15/09/2008
VC49

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

### Permit not required

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit may not be granted

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</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.
52.28-7
31/07/2018
VC148

Venues for gaming machines
A schedule to this clause may specify guidelines relating to venues for gaming machines.

52.28-8
31/07/2018
VC148

Application requirements
An application must be accompanied by any information specified in a schedule to this overlay.

52.28-9
31/07/2018
VC148

Decision guidelines
Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.
SCHEDULE TO CLAUSE 52.28 GAMING

Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Werribee Village Shopping Centre, Werribee</td>
<td>Land on the northwest corner of Shaws Road and Tarneit Road, Werribee</td>
</tr>
<tr>
<td>Hoppers Crossing Shopping Centre, Hoppers Crossing</td>
<td>Land bounded by Morris Road, Old Geelong Road and the railway line, comprising Pt CP154132, No's 2-42,50,50A and Reserve PS335092 Old Geelong Road, Hoppers Crossing</td>
</tr>
<tr>
<td>Werribee Plaza Shopping Centre, Hoppers Crossing</td>
<td>Land on the northwest corner of Heaths Road and Derrimut Road, Hoppers Crossing, except land occupied by the tavern containing 80 gaming machines</td>
</tr>
<tr>
<td>Honour Avenue Shopping Area, Wyndham Vale</td>
<td>Land west of Honour Avenue and Ridge Drive and north of Ribblesdale Avenue, Wyndham Vale</td>
</tr>
<tr>
<td>McGraths Road Commercial Area, Wyndham Vale</td>
<td>Land on the southern intersection of McGraths Road and the Werribee-Bacchus Marsh Road, Wyndham Vale.</td>
</tr>
<tr>
<td>Tarneit West Shopping Centre</td>
<td>Land on the northwest corner of Tarneit Road and Hogans Road, Tarneit West</td>
</tr>
<tr>
<td>Hogans Corner Shopping Centre, Tarneit</td>
<td>Land on the northeast corner of Hogans Road and Derrimut Road, Tarneit</td>
</tr>
<tr>
<td>Hogans Road Shopping Area</td>
<td>Land on the northeast corner of Hogans Road and Deloraine Drive, Tarneit</td>
</tr>
<tr>
<td>Tarneit Gardens Neighbourhood Activity Centre</td>
<td>Land on the northeast corner of Penrose Promenade and Ankuri Road, Tarneit</td>
</tr>
<tr>
<td>Wyndham Village Shopping Centre</td>
<td>Land on the northwest corner of Morris Road and Sayers Road, Truganina</td>
</tr>
<tr>
<td>Point Cook Town Centre Shopping Centre</td>
<td>Land in Business 1 Zone and Mixed Use Zone on the northeast corner of Dunnings Road and Boardwalk Boulevard, Point Cook</td>
</tr>
<tr>
<td>Sanctuary Lakes Shopping Centre</td>
<td>Land on the northeast corner of Point Cook Road and Jamieson Way, Point Cook</td>
</tr>
<tr>
<td>Tom Roberts Parade Mixed Use Precinct</td>
<td>Shopping complex at the intersection of Tom Roberts Parade and Boardwalk Boulevard, Point Cook</td>
</tr>
</tbody>
</table>

Prohibition of a gaming machine in a strip shopping centre

A gaming machine as specified in Clause 52.28-4 is prohibited in 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.
WIND ENERGY FACILITY

Purpose
To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land
A permit is required to use and develop land for a Wind energy facility.

The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td></td>
</tr>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td>Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.</td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling
An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

**Application requirements**

An application must be accompanied by the following information as appropriate:

**Site and context analysis**

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.

- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*
  - Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

Design response
- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the National Parks Act 1975 and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the Flora and Fauna Guarantee Act 1988 or the Environment Protection and Biodiversity Conservation Act 1999 (Cwth).
    - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

Mandatory noise assessment
- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

Mandatory condition

A permit to use or develop land for a wind energy facility must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.

- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the Environment Protection Act 1970 by an environmental auditor appointed under Part IXD of the Environment Protection Act 1970. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:


- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.

- The impact of the development on significant views, including visual corridors and sightlines.

- The impact of the facility on the natural environment and natural systems.

- The impact of the facility on cultural heritage.

- The impact of the facility on aircraft safety.


Anemometer

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

Application to amend a permit under section 72 of the Act

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or

- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0 Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
POST BOXES AND DRY STONE WALLS

Purpose
To conserve historic post boxes and dry stone walls.

Permit requirement
A permit is required to demolish or remove a post box constructed before 1930.
A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.
SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0 Permit requirement for dry stone walls

**Land**

- Land described as ‘existing dry stone wall to be retained’ or ‘existing dry stone wall with potential for retention’ on Plan 3 of the incorporated Truganina Precinct Structure Plan.

- Land described as ‘existing dry stone wall to be retained’ or ‘existing dry stone wall with potential for retention’ on Plan 3 of the incorporated Tarneit North Precinct Structure Plan.

- C and D ranked dry stone walls as listed in the ‘Wyndham Dry Stone Wall Study (2015)’, where not located in the Truganina Precinct Structure Plan, or Tarneit North Precinct Structure Plan.
BICYCLE FACILITIES

Purpose
To encourage cycling as a mode of transport.
To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Provision of bicycle facilities
A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Any relevant bicycle parking strategy or equivalent.

Required bicycle facilities
Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.
If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.
A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.
A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

Table 1 to Clause 52.34-5 Bicycle spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre (excluding Child care centre) other than specified in this table</td>
<td>1 to each 20 employees</td>
<td>1 to each 20 full-time students</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 to each 15 beds</td>
<td>1 to each 30 beds</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
</tr>
<tr>
<td>Industry other than specified in this table</td>
<td>1 to each 1000 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Library</td>
<td>1 to each 500 sq m of net floor area</td>
<td>4 plus 2 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>1 to each 1500 spectator places</td>
<td>1 to each 250 spectator places</td>
</tr>
<tr>
<td>Market</td>
<td>1 to each 50 stalls</td>
<td>1 to each 10 stalls</td>
</tr>
<tr>
<td>Medical centre</td>
<td>1 to each 8 practitioners</td>
<td>1 to each 4 practitioners</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>1 per 4 employees</td>
<td>1 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Motel</td>
<td>1 to each 40 rooms</td>
<td>None</td>
</tr>
<tr>
<td>Office other than specified in this table</td>
<td>1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
<td>1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
</tr>
<tr>
<td>Place of assembly other than specified in this table</td>
<td>1 to each 1500 sq m of net floor area</td>
<td>2 plus 1 to each 1500 sq m of net floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils over year 4</td>
</tr>
<tr>
<td>Residential building other than specified in this table</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 to each 100 sq m of floor area available to the public</td>
<td>2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.</td>
</tr>
<tr>
<td>Retail premises other than specified in this table</td>
<td>1 to each 300 sq m of leasable floor area</td>
<td>1 to each 500 sq m of leasable floor area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 to each 800 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Shop</td>
<td>1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
<td>1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
</tr>
<tr>
<td>Use</td>
<td>Employee/Resident</td>
<td>Visitor/Shopper/Student</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------------</td>
<td>-------------------------</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>

**Design of bicycle spaces**

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

**Bicycle rails**

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

**Bicycle compounds and lockers**

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:
- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

**Bicycle signage**

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.
PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.

- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

For the purposes of section 18(8)(a) of the Subdivision Act 1988, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.

- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.
## Subdivision and public open space contribution

<table>
<thead>
<tr>
<th>Type or location of subdivision</th>
<th>Amount of contribution for public open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land shown as UGZ2 on the planning scheme maps (Truganina Employment Precinct Structure Plan area).</td>
<td>3.1%</td>
</tr>
<tr>
<td>Land shown as UGZ1 on the planning scheme maps.</td>
<td>2.65%</td>
</tr>
<tr>
<td>Land and/or cash contribution requirements must be in accordance with Section 4.4.4 of the Truganina South Community Precinct Structure Plan, May 2011.</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ3 on the planning scheme maps (Manor Lakes Precinct Structure Plan area).</td>
<td>9.99%</td>
</tr>
<tr>
<td>Land and/or cash contributions must be met in accordance with Section 4.5.9 of the Manor Lakes Precinct Structure Plan, March 2012</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ5 on the planning scheme maps (Point Cook West Precinct Structure Plan area).</td>
<td>2.84%</td>
</tr>
<tr>
<td>Land and/or cash contributions must be in accordance with Section 3.3, Requirement 10 (R10) of the Point Cook West Precinct Structure Plan, October 2012</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ4 on the planning scheme maps (Alfred Road Precinct Structure Plan area).</td>
<td>2.99%</td>
</tr>
<tr>
<td>Land and/or cash contributions must be in accordance with Requirement 26 (R26) of the incorporated Alfred Road Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ6 on the planning scheme maps (Black Forest Road South Precinct Structure Plan area).</td>
<td>3.0%</td>
</tr>
<tr>
<td>Land and/or cash contributions must be in accordance with Requirement 24 (R24) of the Black Forest Road South Precinct Structure Plan, April 2013</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ14 on the planning scheme maps (East Werribee Employment Precinct Structure Plan area).</td>
<td>3.00%</td>
</tr>
<tr>
<td>Land and/or cash contributions must be met in accordance with Section 3.1 of the East Werribee Employment Precinct Structure Plan (September 2013)</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ8 on the planning scheme maps (Ballan Road Precinct Structure Plan area).</td>
<td>3%</td>
</tr>
<tr>
<td>Land and/or cash contributions must be met in accordance with R37 of the incorporated Ballan Road Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ9 on the planning scheme maps (Westbrook Precinct Structure Plan area).</td>
<td>2.92%</td>
</tr>
<tr>
<td>Land and/or cash contributions must be met in accordance with R35 of the incorporated Westbrook Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>Land shown as UGZ 10 on the planning scheme maps</td>
<td>2.00% for employment land</td>
</tr>
<tr>
<td>3.00% for residential land</td>
<td></td>
</tr>
<tr>
<td>Type or location of subdivision</td>
<td>Amount of contribution for public open space</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>(Truganina Precinct Structure Plan area).</td>
<td>Land and/or cash contributions must be met in accordance with R32 of the incorporated Truganina Precinct Structure Plan.</td>
</tr>
<tr>
<td>Land shown as UGZ11 on the planning scheme maps (Riverdale Precinct Structure Plan area).</td>
<td>3.00% Land and/or cash contributions must be met in accordance with R23 of the incorporated Riverdale Precinct Structure Plan.</td>
</tr>
<tr>
<td>Land shown as UGZ13 on the planning scheme maps (Tarneit North Precinct Structure Plan area).</td>
<td>3.0% for land identified for Residential and Town Centres. 2.0% for land identified for Employment. Land and/or cash contributions must be in accordance with R28 of the Tarneit North Precinct Structure Plan, September 2014.</td>
</tr>
<tr>
<td>Land shown as UGZ15 on the planning scheme maps (Lincoln Heath South Precinct Structure Plan area)</td>
<td>3% Land and/or cash contributions must be in accordance with Requirement R14 of the Lincoln Heath South Precinct Structure Plan, September 2015</td>
</tr>
<tr>
<td>Land shown as UGZ7 on the planning scheme maps (Black Forest Road North Precinct Structure Plan area).</td>
<td>3% Land and/or cash contributions must be met in accordance with R19 of the incorporated Black Forest Road North Precinct Structure Plan, December 2015</td>
</tr>
</tbody>
</table>
BUSHFIRE PLANNING

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Application
This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.
Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:
- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.
Clause 53.02-4 applies to all other applications.

Operation
The provisions of this clause contain:
- Objectives. An objective describes the outcome that must be achieved in a completed development.
- Approved measures (AM). An approved measure meets the objective.
- Alternative measures (AltM). An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.
A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.
A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

Dwellings in existing settlements – Bushfire protection objective
To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.
### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 1.1</strong></td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>• The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>• The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>• Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td><strong>AM 1.2</strong></td>
<td>A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td></td>
<td>A building is constructed to the bushfire attack level:</td>
</tr>
<tr>
<td></td>
<td>• That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or</td>
</tr>
<tr>
<td></td>
<td>• The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply:</td>
</tr>
<tr>
<td></td>
<td>  • A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.</td>
</tr>
<tr>
<td></td>
<td>  • A minimum bushfire attack level of BAL12.5 is provided in all circumstances.</td>
</tr>
<tr>
<td><strong>AM 1.3</strong></td>
<td>A building is provided with:</td>
</tr>
<tr>
<td></td>
<td>• A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</td>
</tr>
<tr>
<td></td>
<td>• Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</td>
</tr>
</tbody>
</table>

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the the approved measures have been incorporated into the application.

### Bushfire protection objectives

#### Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
<tr>
<td>AM 2.2</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 2.3</td>
<td>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</td>
</tr>
</tbody>
</table>

53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 3.1</td>
<td>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or</td>
</tr>
<tr>
<td></td>
<td>- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</td>
</tr>
<tr>
<td>AM 3.2</td>
<td>A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:</td>
</tr>
<tr>
<td></td>
<td>- Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.</td>
</tr>
<tr>
<td></td>
<td>- Constructed to a bushfire attack level of BAL12.5.</td>
</tr>
</tbody>
</table>

Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 3.3</td>
<td>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td>AltM 3.4</td>
<td>Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.</td>
</tr>
</tbody>
</table>
A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:

- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.
- The dwelling is constructed to a bushfire attack level of BAL FZ.

This alternative measure only applies where the requirements of AM 3.1 cannot be met.

A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

### 53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 4.1</td>
<td>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:</td>
</tr>
<tr>
<td></td>
<td>- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</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>
</tbody>
</table>

| AM 4.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with: |
A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.

Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

### 53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 5.1</td>
<td>An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:</td>
</tr>
<tr>
<td></td>
<td>The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.</td>
</tr>
<tr>
<td>AM 5.2</td>
<td>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</td>
</tr>
<tr>
<td></td>
<td>Each lot satisfies the approved measure in AM 2.1.</td>
</tr>
<tr>
<td></td>
<td>A building envelope for a single dwelling on each lot that complies with AM 2.2 and provides defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</td>
</tr>
<tr>
<td></td>
<td>Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.</td>
</tr>
<tr>
<td></td>
<td>The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</td>
</tr>
<tr>
<td></td>
<td>Defendable space wholly contained within the boundaries of the proposed subdivision.</td>
</tr>
<tr>
<td></td>
<td>Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</td>
</tr>
<tr>
<td></td>
<td>Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.</td>
</tr>
<tr>
<td></td>
<td>Water supply and vehicle access that complies with AM 4.1.</td>
</tr>
<tr>
<td>AM 5.3</td>
<td>An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.</td>
</tr>
</tbody>
</table>
A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

**Alternative measure**

**Measure** | **Requirement**
---|---
**AltM 5.5** | A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:
- All other requirements of AM 5.2 have been met.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5 **Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
### Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

#### Table 1 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope Type</th>
<th>Vegetation Type</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
<th>Column E</th>
</tr>
</thead>
<tbody>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
<td>35</td>
<td>25</td>
<td>19</td>
<td>&lt; 19</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
<td>24</td>
<td>16</td>
<td>12</td>
<td>&lt; 12</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>27</td>
<td>19</td>
<td>13</td>
<td>10</td>
<td>&lt; 10</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td>&lt; 7</td>
</tr>
<tr>
<td></td>
<td>Mallee/Mulga</td>
<td>17</td>
<td>12</td>
<td>8</td>
<td>6</td>
<td>&lt; 6</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>23</td>
<td>16</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>6</td>
<td>&lt; 6</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
<td>43</td>
<td>32</td>
<td>24</td>
<td>&lt; 24</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
<td>29</td>
<td>21</td>
<td>15</td>
<td>&lt; 15</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>11</td>
<td>&lt; 11</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
</tr>
<tr>
<td></td>
<td>Mallee/Mulga</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td>&lt; 7</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
<td>14</td>
<td>10</td>
<td>&lt; 10</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
<td>53</td>
<td>39</td>
<td>31</td>
<td>&lt; 31</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
<td>37</td>
<td>26</td>
<td>20</td>
<td>&lt; 20</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
<td>24</td>
<td>17</td>
<td>12</td>
<td>&lt; 12</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
</tr>
<tr>
<td></td>
<td>Mallee/Mulga</td>
<td>23</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
<td>13</td>
<td>&lt; 13</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
<td>64</td>
<td>49</td>
<td>39</td>
<td>&lt; 39</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
<td>45</td>
<td>33</td>
<td>25</td>
<td>&lt; 25</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
<td>28</td>
<td>19</td>
<td>14</td>
<td>&lt; 14</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</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></td>
</tr>
<tr>
<td>Forest</td>
<td>98</td>
</tr>
<tr>
<td>Woodland</td>
<td>73</td>
</tr>
<tr>
<td>Scrub</td>
<td>43</td>
</tr>
<tr>
<td>Shrubland</td>
<td>31</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>29</td>
</tr>
<tr>
<td>Rainforest</td>
<td>56</td>
</tr>
<tr>
<td>Grassland</td>
<td>32</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>BAL 12.5</td>
</tr>
<tr>
<td>All slopes</td>
<td>All vegetation</td>
<td>Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.</td>
</tr>
<tr>
<td>All slopes</td>
<td>Low threat vegetation</td>
<td>Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.</td>
</tr>
</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 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></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>57</td>
<td>43</td>
</tr>
<tr>
<td>Woodland</td>
<td>41</td>
<td>29</td>
</tr>
<tr>
<td>Scrub</td>
<td>31</td>
<td>22</td>
</tr>
<tr>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
</tr>
<tr>
<td>Grassland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>69</td>
<td>53</td>
</tr>
<tr>
<td>Woodland</td>
<td>50</td>
<td>37</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>24</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
</tr>
<tr>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
</tr>
<tr>
<td>Grassland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>82</td>
<td>64</td>
</tr>
<tr>
<td>Woodland</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Scrub</td>
<td>39</td>
<td>28</td>
</tr>
<tr>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>26</td>
<td>18</td>
</tr>
<tr>
<td>Rainforest</td>
<td>45</td>
<td>33</td>
</tr>
<tr>
<td>Grassland</td>
<td>28</td>
<td>20</td>
</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>98</td>
<td>78</td>
</tr>
<tr>
<td>Woodland</td>
<td>73</td>
<td>56</td>
</tr>
</tbody>
</table>
**Table 3 Defendable space**

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Upslope and flat land (0 degrees)</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>&gt;0-5</td>
<td>&gt;5-10</td>
</tr>
<tr>
<td>Forest</td>
<td>60</td>
<td>70</td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>28</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>40</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
<td>26</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
<td>36</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.
### Vegetation class

<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>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

Building construction condition

The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:

- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.

Any openings in the wall shall be protected in accordance with the following:

i. Doorways – by FLR -/60/30 self-closing fire doors

ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position

iii. Other openings – by construction with a FRL of not less than -/60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
**BROTHELS**

**Purpose**

To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the *Sex Work Act 1994*.

**Permit requirement**

A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the *Sex Work Act 1994*.

**Decision guidelines**

Responsible authorities should consider the matters set out in section 73 of the *Sex Work Act 1994* before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the *Sex Work Act 1994*, unless section 76(2) of *Sex Work Act 1994* applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the *Planning and Environment Act 1987*, or
- An application to amend a permit in accordance with Part 4 Division 1A of the *Planning and Environment Act 1987*, or
- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the *Planning and Environment Act 1987*, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the *Sex Work Act 1994*. 
CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.

- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - The suitability of the land for a residential use.

- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.

- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.

- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.

- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
FREWAY SERVICE CENTRE

Purpose
To ensure that freeways service centres are appropriately designed and located.
To ensure that access to a freeways service centre from a freeways is designed to the requirements of the Roads Corporation.
To ensure that freeways service centres with access to a rural freeways 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 freeways service centre meets an identifiable need to provide essential services and facilities along a freeways where those services and facilities are not readily available.
To ensure that the use of land for a freeways service centre does not adversely affect the amenity of surrounding land uses.

Requirements to be met

Facilities and services
A freeways 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 freeways 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 freeways service centre with access to a rural freeways must also provide local and regional tourist information.
A freeways 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 freeways service centre with access to a rural freeways must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeways service centres
No vehicular access between a freeways service centre with access to a metropolitan freeways 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><strong>Basic Metal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• aluminium by electrolysis</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>• other non-ferrous metals in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• up to 1,000,000 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>• exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td><strong>Chemical, Petroleum &amp; Coal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td>Note 2</td>
<td></td>
</tr>
<tr>
<td>• manufacture</td>
<td>1,000</td>
<td></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:                                                          | Note 1                     |
| • up to 1,000,000 tonnes per year                                                                           | 100                        |
| • exceeding 1,000,000 tonnes per year                                                                       | 1,000                      |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                                                                                   | 500                        |
| Bakery (other than one ancillary to a shop):                                                                | 100                        |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Maltworks:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td><strong>Miscellaneous Manufacturing</strong></td>
<td></td>
<td></td>
</tr>
<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>
<tr>
<td><strong>Non-metallic Mineral Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bitumen batching plant:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 5,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- between 5,000 &amp; 150,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>- exceeding 150,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Concrete article or stone article production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Concrete batching plant:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Glass and glass production including glass wool:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Plaster or plaster articles production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rock wool manufacture:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td><strong>Other Premises</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panel beating:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td><strong>Paper &amp; Paper Products:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• from semi-processed materials</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>• from prepared cellulose &amp; rags</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>• by other methods than above</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Recreation, Personal &amp; Other Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td><strong>Recycling and Resource Recovery</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advanced resource recovery technology facility</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Commercial and Industrial materials recycling</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Composting and other organic materials recycling.</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Construction and demolition materials recycling</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Other resource recovery or recycling operations</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Refuse and used material storage, sorting and recovery in a transfer station:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Accepting organic wastes</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>• Other</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Sanitary and garbage disposal in landfill</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Used metals treatment or processing</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Used paper and cardboard treatment or processing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Textiles</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpet backing with latex:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Production of artificial fibres &amp; textiles:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• cellulose nitrate or viscose fibre, cellophane or artificial rubber</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• other synthetic fibres and textiles</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Rope, cordage and twine production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Treatment or production of textiles:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• using carbon disulphide</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>• using other substances</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Wool scouring:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td><strong>Transport and Storage</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depot for refuse collection vehicles</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>Grain elevators:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
<td>Notes 1, 2</td>
</tr>
</tbody>
</table>

**Wood, Wood Products & Furniture**

| Charcoal production:                                                                                          |                             |       |
| • by the retort process                                                                                        | 500                         |       |
| • other than by the retort process                                                                             | 1,000                       |       |
| Joinery:                                                                                                      | 100                         |       |
| Sawmill:                                                                                                      | 500                         |       |
| Wood preservation plant:                                                                                      | 100                         |       |
| Wood-fibre or wood-chip products:                                                                             | 1,500                       |       |
TIMBER PRODUCTION

Timber production on Crown land

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the *Forests Act 1958* and the *Sustainable Forests (Timber) Act 2004*, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forest and Lands Act 1987*), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

Timber production to comply with the Code of Practice for Timber Production

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production (Department of Environment and Primary Industries, 2014). In accordance with Section 6(4A) of the *Planning and Environment Act 1987*, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

Road repairs

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the *Road Management Act 2004*.

Decision guidelines

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
The role of native forest and plantations in:
- Protecting water quality.
- Conserving flora and fauna.
- Preventing land degradation, including soil erosion, salinisation and water logging.
- Preventing adverse effects on groundwater recharge.

The preservation of and impact on the natural environment, cultural heritage and visual amenity.

Whether it is appropriate to require environmental protection standards greater than those in the Code.
RACING DOG HUSBANDRY

Purpose
To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

Requirement
An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017). This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

Exemption from notice and review
An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017) are met.
RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

Purpose
To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

Application requirements
An application must be accompanied by the following information, as appropriate:

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.

- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Works Approval or Licence is required from the Environment Protection Authority.
    - The potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - The effect of traffic to be generated on roads.
    - The impact upon Aboriginal or non-Aboriginal cultural heritage.
    - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
    - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.
**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land, particularly within declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.

**Amendment VC161 transitional provisions**

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.
RESOURCES RECOVERY

Purpose
To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Application
This clause applies to all land used and developed or proposed to be used and developed for:
- A Transfer station;
- A Materials recycling facility.

Application requirements
An application must be accompanied by the following information:
- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Consideration of whether a works approval or licence is required from the Environment Protection Authority.
- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

Decision Guidelines
Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:
- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose
To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application
In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
## Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
</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 exemption to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 – 30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
</tbody>
</table>
### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).
RESIDENTIAL AGED CARE FACILITY

Purpose
To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.
To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.
To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

Application
This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Application requirements
An application must be accompanied by:
- A site and context description.
- A design response.
- A landscape plan.

Site and context description
The site and context description may use a site plan, photographs or other techniques and must include:
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response
The design response must explain how the proposed design:
- Responds to the site and context description.
- Meets the requirements of this clause.
Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

Development requirements

Operation

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

Street setback

Walls of buildings should be set back from streets the distance specified in the table:

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting...</td>
</tr>
<tr>
<td>Development context</td>
<td>Minimum setback from front street (metres)</td>
<td>Minimum setback from a side street (metres)</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td></td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
</tr>
<tr>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Side and rear setbacks**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

**North-facing windows**

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Solar panel overshadowing

Buildings should be sited and designed to ensure that the capacity of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Noise impacts**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

**Daylight to new windows**

A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

**Site coverage**

The site area covered by buildings should not exceed 80 percent.

**Access**

Access ways should be designed to:
- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

**Building entry**

The main pedestrian entry to a building should:
- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

**Communal open space**

Accessible and useable communal open space should be provided for residents and staff.

**Front fence**

A front fence within 3 metres of a street should not exceed:
- 2 metres in height in streets in a Road Category 1; and
- 1.5 metres in height on all other streets.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy facility on an adjoining lot.
STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Purpose
To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Application
This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3
26/10/2018
VC154

Requirements
An application to subdivide land:
- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:
- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4
26/10/2018
VC154

Stormwater management objectives for subdivision
To minimise damage to properties and inconvenience to the public from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1
The stormwater management system should be:
- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to 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 Vave < 0.35 m2/s (where, da = average depth in metres and Vave = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

### Stormwater management objectives for buildings and works

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

### Standard W2

The stormwater management system should be designed to:

- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

### Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
ONE DWELLING ON A LOT

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:
- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

### Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

### Design response

The design response must explain how the proposed design:
- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER

Neighbourhood character objective
To ensure that the design respects the existing neighbourhood character or contributes to a preferred
neighbourhood character.
To ensure that the design responds to the features of the site and the surrounding area.

Standard A1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond
to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Integration with the street objective
To integrate the layout of development with the street.

Standard A2
Dwellings should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Dwellings should be designed to promote the observation of abutting streets and any abutting
public open spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.
Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4
The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5
The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

Permeability objectives
To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration.
Standard A6
The site area covered by pervious surfaces should be at least:
- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Energy efficiency protection objectives
To achieve and protect energy efficient dwellings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.
- The availability of solar access to north-facing windows on the site.
**Significant trees objectives**

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

**Standard A8**

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.
AMENITY IMPACTS

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard A11**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

- For a length more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective
To allow adequate daylight into existing habitable room windows.

Standard A12
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard A13
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective

To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight is available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

**Overlooking objective**
To limit views into existing secluded private open space and habitable room windows.

**Standard A15**
A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram A4 Overlooking open space**

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.
ON-SITE AMENITY AND FACILITIES

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard A16
A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17
A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

Solar access to open space objective
To allow solar access into the secluded private open space of a new dwelling.

Standard A18
The private open space should be located on the north side of the dwelling, if practicable.
The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘\(h\)’ is the height of the wall.
Diagram A5 Solar access to open space

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A19
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard A20
The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

Table 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.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The pattern of development of the neighbourhood.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.
The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

Neighbourhood character objectives
To ensure that the design respects the existing neighbourhood character or contributes to a preferred
neighbourhood character.
To ensure that development responds to the features of the site and the surrounding area.

Standard B1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond
to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in
the Municipal Planning Strategy and the Planning Policy Framework.
To support medium densities in areas where development can take advantage of public transport
and community infrastructure and services.

Standard B2
An application must be accompanied by a written statement to the satisfaction of the responsible
authority that describes how the development is consistent with any relevant policy for housing
in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3
Developments of ten or more dwellings should provide a range of dwelling sizes and types,
including:
- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at
ground floor level.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.

- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**
To integrate the layout of development with the street.

**Standard B5**
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.

- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6

Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>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>
</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**

**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.

55.06-3
19/01/2006
VC37

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.

55.06-4
19/01/2006
VC37

Site services objectives
To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

Standard B34
The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose

Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives

To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard B35

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.
Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warmambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
The size, orientation and layout of the site.

The existing amount of solar access to abutting properties.

The availability of solar access to north-facing windows on the site.

The annual cooling load for each dwelling.

The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.

Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.

The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard B36

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.

- Maximise landscaping opportunities.

- Be accessible, useable and capable of efficient management.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.

- The design response.

- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.

- The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

**Deep soil areas and canopy trees objective**

To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

**Standard B38**

The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

**Table B5 Deep soil areas and canopy trees**

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

*Note:* Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Noise impacts objectives
To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.
Standard B40

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B6 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

**Table B6 Noise influence area**

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

*Note: The noise influence area should be measured from the closest part of the building to the noise source.*

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B41
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.

Table B7 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Door opening</strong></td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td><strong>Door design</strong></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><strong>Circulation area</strong></td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin. The circulation area can include a shower area.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td></td>
</tr>
<tr>
<td><strong>Path to circulation area</strong></td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td><strong>Shower</strong></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><strong>Toilet</strong></td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B42
Entries to dwellings and buildings should:
- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:
- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

**Private open space above ground floor objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard B43**

A dwelling should have private open space consisting of:
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table B8 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
Storage objective
To provide adequate storage facilities for each dwelling.

Standard B44
Each dwelling should have convenient access to usable and secure storage space.
The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.

Table B9 Storage

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

Waste and recycling objectives
To ensure dwellings are designed to encourage waste recycling.
To ensure that waste and recycling facilities are accessible, adequate and attractive.
To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard B45
Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.

- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

---

**Functional layout objective**

To ensure dwellings provide functional areas that meet the needs of residents.

**Standard B46**

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

**Table B10 Bedroom dimensions**

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.

**Table B11 Living area dimensions**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

---

**Room depth objective**

To allow adequate daylight into single aspect habitable rooms.

**Standard B47**

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
• The room combines the living area, dining area and kitchen.
• The kitchen is located furthest from the window.
• The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

• The design response.
• The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
• The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
• Any overhang above habitable room windows that limits daylight access.

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### Windows objective

To allow adequate daylight into new habitable room windows.

**Standard B48**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

• A minimum width of 1.2 metres.
• A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

• The design response.
• The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
• The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

---

### Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

• A maximum breeze path through the dwelling of 18 metres.
• A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.
To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application
These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.

- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement
An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1
An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives
To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.
To allow easy movement through and between neighbourhoods for all people.

Standard C2
A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network

- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.

- Shows the layout of the subdivision in relation to the surrounding area.

- Is designed to be accessible for people with disabilities.

Activity centre objective
To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3
A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.

- Served by public transport that is connected to the regional public transport network.

- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.

- Located on arterial roads or connector streets.

- Of appropriate size to accommodate a mix of uses that meet local community needs.

- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective
To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4
A subdivision should:
- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:
- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.
Primary schools should be located on connector streets and not on arterial roads.
New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective
To create urban places with identity and character.

Standard C5
The built environment should:
- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective
To design subdivisions that respond to neighbourhood character.

Standard C6
Subdivision should:
- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.

Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:
- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:
- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

**Solar orientation of lots objective**

To provide good solar orientation of lots and solar access for future dwellings.

**Standard C9**

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

**Street orientation objective**

To provide a lot layout that contributes to community social interaction, personal safety and property security.
Standard C10
Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

Common area objectives
To identify common areas and the purpose for which the area is commonly held.
To ensure the provision of common area is appropriate and that necessary management arrangements are in place.
To maintain direct public access throughout the neighbourhood street network.

Standard C11
An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
URBAN LANDSCAPE

Integrated urban landscape objectives
To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12
An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

Public open space provision objectives
To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
  - Additional small local parks or public squares in activity centres and higher density residential areas.
  - Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
    - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
    - Sufficient to incorporate two football/cricket ovals
    - Appropriate for the intended use in terms of quality and orientation
    - Located on flat land (which can be cost effectively graded)
    - Located with access to, or making provision for, a recycled or sustainable water supply
    - Adjoin schools and other community facilities where practical
    - Designed to achieve sharing of space between sports.
  - Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.
ACCESS AND MOBILITY MANAGEMENT

Integrated mobility objectives
To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14
An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

Walking and cycling network objectives
To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15
The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

Public transport network objectives
To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.
To encourage maximum use of public transport.

**Standard C16**

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

**Neighbourhood street network objective**

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

**Standard C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation’s arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.
- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area’s character and identity.
- Take account of any identified significant features.

**Walking and cycling network detail objectives**

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

**Standard C18**

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

**Public transport network detail objectives**

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

**Standard C19**

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.
- Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.
- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

**Neighbourhood street network detail objective**

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

**Standard C20**

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
• Provide a safe environment for all street users applying speed control measures where appropriate.

• Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.

• Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.

• Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.

• Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.

• Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.

• Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.

• Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.

• Provide for the safe and efficient collection of waste and recycling materials from lots.

• Be accessible to people with disabilities.

• Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

• The street hierarchy and typical cross-sections for all street types.

• Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.

• Water sensitive urban design features.

• Location and species of proposed street trees and other vegetation.

• Location of existing vegetation to be retained and proposed treatment to ensure its health.

• Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
Lot access objective

To provide for safe vehicle access between roads and lots.

Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane

A side or rear lane principally providing access to parking on lots with another street frontage.

<table>
<thead>
<tr>
<th>Traffic volume&lt;br&gt;¹</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed&lt;br&gt;²</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within&lt;br&gt;street reservation</td>
<td>5.5m⁴ wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing⁵</td>
<td>None</td>
</tr>
</tbody>
</table>

Footpath provision

None
Carriageway designed as a shared zone and appropriately signed.

Cycle path provision

None

Access Place

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume&lt;br&gt;¹</th>
<th>300vpd to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed&lt;br&gt;²</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within&lt;br&gt;street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.</td>
</tr>
<tr>
<td>Kerbing ⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>-----------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Footpath provision | Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed.  
| | or  
| | 1.5m wide footpath offset a minimum distance of 1m from the kerb. |
| Cycle path provision | None |

**Access Street - Level 1**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume ¹</th>
<th>1000vpd to 2000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed ²</td>
<td>30kph</td>
</tr>
<tr>
<td>Carriageway width ³ &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots.</td>
</tr>
<tr>
<td>Verge width ⁴</td>
<td>4m minimum each side</td>
</tr>
<tr>
<td>Kerbing ⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>
| Footpath provision | 1.5m wide footpaths on both sides.  
| | Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.  
| | Be offset a minimum distance of 1m from the kerb. |
| Cycle path provision | Carriageway designed as a shared zone and appropriately signed. |

**Access Street - Level 2**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume ¹</th>
<th>2000vpd to 3000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed ²</td>
<td>40kph</td>
</tr>
<tr>
<td>Carriageway width ³ &amp; parking provision within street reservation</td>
<td>7m-7.5m wide with parking on both sides of carriageway</td>
</tr>
<tr>
<td>Verge width ⁴</td>
<td>4.5m minimum each side</td>
</tr>
<tr>
<td>Kerbing ⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>
| Footpath provision | 1.5m wide footpaths on both sides.  
| | Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. |
Be offset a minimum distance of 1m from the kerb.

<table>
<thead>
<tr>
<th>Cycle path provision</th>
<th>Carriageway designed as a shared zone and appropriately signed.</th>
</tr>
</thead>
</table>

**Connector Street - Level 1**

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic 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>
<th>3.5m minimum lane width in each direction of travel.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td></td>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
</tr>
<tr>
<td>-</td>
<td>0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<td>-</td>
<td>1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or</td>
</tr>
<tr>
<td>-</td>
<td>1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td></td>
<td>An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.</td>
</tr>
<tr>
<td></td>
<td>Bus stops at the kerbside, not indented within the verge.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verge 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 kerbside.</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 7000 vpd</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>
</tbody>
</table>
### Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives
To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Standard C22
The supply of drinking water must be:
- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective
To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23
Reused and recycled water supply systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24
Waste water systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.
Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives
To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria \( d_a V_{av} < 0.35 \, m^2/s \) (where, \( d_a \) = average depth in metres and \( V_{av} \) = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
Shared trenching objectives
To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Standard C27
Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Electricity, telecommunications and gas objectives
To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28
The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority. Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Fire hydrants objective
To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29
Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Public lighting objective
To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
**URBAN CONTEXT**

**Urban context objectives**
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

**Standard D1**
The design response must be appropriate to the urban context and the site.

The proposed design must respect the existing or preferred urban context and respond to the features of the site.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

**Residential policy objectives**
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

**Standard D2**
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.

**Dwelling diversity objective**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

**Standard D3**
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

**Infrastructure objectives**
To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

Integration with the street objective
To integrate the layout of development with the street.

Standard D5
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Development next to existing public open space should be laid out to complement the open space.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is optimised.
Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, usable 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: A slide door, or A door that opens outwards, or A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>Either: A slide door, or A door that opens outwards, or 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: A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.</td>
<td>A clear circulation area that is: A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.
Standard D18

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D19

A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

Table D5 Balcony size

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

Decision guidelines

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

**Storage objective**

To provide adequate storage facilities for each dwelling.

**Standard D20**

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.
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.
- A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.

**For land in a residential zone:**

- Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
- Whether the development is compatible with residential use.
- The scale and intensity of the development.
- The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.
REMOVE, DESTROY OR LOP A TREE

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy facility is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

General
- The significance of the heritage place and whether the proposal will adversely affect that significance.
• Any applicable statement of significance, heritage study and any applicable conservation policy.
• Whether the proposal will adversely affect the character or appearance of the building or heritage place.
• Whether the proposal meets any relevant local heritage policy set out in the scheme.

Demolition
• Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

Buildings and works
• Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
• Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

Alterations
• Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
• Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

Fences
• Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
• Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

Trees
• Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

Subdivision
• Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
• Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
• Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

Signage
• Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
SIGNs

Information requirements

An application must be accompanied by the following information, as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.

- The dimensions, height above ground level and extent of projection of the proposed sign.

- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.

- The colour, lettering style and materials of the proposed sign.

- The size of the proposed display (total display area including all sides of a multi-sided sign).

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.

- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.

- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.

- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
- The extent to which the proposed sign requires the removal of vegetation.
  
  - Whether the proposed sign is consistent with any outdoor advertising theme.
  
  - Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
  
  - Whether the proposed sign will adversely impact road safety.
CAR PARKING

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area’s existing car parking.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.
TWO LOT SUBDIVISION IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Any Regional Catchment Strategy applying to the land.

- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
BUILDINGS AND WORKS IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, 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.
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>
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</tbody>
</table>

## Table 3 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements

None specified

2.0 Decision guidelines

None specified
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
USES NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
BUILDINGS AND WORKS

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shade cloth. 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.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

62.02-2
Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a dependent person’s unit.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- Domestic services normal to a dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.

- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.

- A disabled access ramp.

- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.

- A solar energy facility attached to a building that primarily services the land on which it is situated.

- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.

- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

62.02-3

Vegetation removal

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.

- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.

- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.

- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.

- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.
EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.
SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.
SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.

- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.

- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and Lands Act 1987.
- The code of practice is approved or ratified by Parliament under an Act.
ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the types of applications which must be referred under Section 55 of the Act or for which notice must be given under Section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of Section 52(1) of the Act.

These provisions also specify when a plan must be referred under Section 8(1)(a) of the Subdivision Act 1988.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act.

Any requirement for referral under this or another clause does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

Notice

Notice of an application of the kind listed below in Clauses 66.05 and 66.06 must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.
SUBDIVISION REFERRALS

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A boundary realignment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- The subdivision of an existing building already connected to services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A two lot subdivision.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.</td>
<td>Country Fire Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.</td>
<td>Minister administering the Land Act 1958</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</td>
<td>The Executive Director specified in the Heritage Act 2017</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

Mandatory conditions for subdivision permits

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

**Referrals under the Subdivision Act – certification of plans**

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Native vegetation

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Cattle feedlot

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the site is located within a special water supply catchment area under the Catchment and Land Protection Act 1994, the relevant water authority under the Water Act 1989 and the Secretary to the Department administering the Catchment and Land Protection Act 1994</td>
<td></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the number of cattle is 5000 or more, the Environment Protection Authority</td>
<td></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Major electricity line or easement

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Special water supply catchment area

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <em>Catchment and Land Protection Act 1994</em> which provides water to a domestic supply.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Industry or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 1 or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 2 and if any of the following apply:</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>– A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Type of referral

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- A notification is required under the Occupational Health and Safety Regulations 2007.</td>
<td></td>
<td></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>

Determining referral authority

To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 53.10 and shown with a Note 2 if the area of the buildings and works will increase by more than 25 per cent and any of the following apply:

- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.
- A notification is required under the Occupational Health and Safety Regulations 2007.
- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.
- A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.

Stone Extraction

<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></td>
<td></td>
</tr>
<tr>
<td>Secretary to the Department administering the <em>Heritage Act 1995</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary to the Department administering the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Determining referral authority

To use or develop land for stone extraction on Crown land or land abutting Crown land, other than a government road.


Determining referral authority

To use or develop land for stone extraction:

- In Special Areas declared under Section 27 of the *Catchment and Land Protection Act 1994*.

Secretary to the Department administering the *Catchment and Land Protection Act 1994*.

Determining 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>- On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</td>
<td>Secretary to the Department administering the Flora and Fauna Guarantee Act 1988</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.</td>
<td>Secretary to the Department administering Section 201 of the Water Act 1989</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In areas with communities or taxa listed or critical habitat determined under the Flora and Fauna Guarantee Act 1988.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the Road Management Act 2004 and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a road declared as a freeway or an arterial road under the Road Management Act 2004. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the <em>Geothermal Energy Resources Act 2005</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the <em>Greenhouse Gas Geological Sequestration Act 2008</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This does not apply to:

- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.
- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.
## Declared irrigation districts

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <em>Water Act 1989</em>.</td>
<td>Secretary to the Department administering the <em>Water Act 1989</em>.</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an Emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 37.07-5 (UGZ)</td>
<td>An application under the zone within Metropolitan Melbourne.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside Metropolitan Melbourne.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.02-8 (SMO)</td>
<td>An application under the overlay and any site capability report.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.03-6 (FO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.04-7 (LSIO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>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:</td>
<td>Relevant fire authority</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
| 44.06-6 (BMO) | - The outbuilding is ancillary to a dwelling,  
- 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,  
- The canopy of each tree within the defendable space is separated by at least 2 metres, and  
- Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. |                                                                                  |                                |
<p>|        | An application to subdivide land.                                                                                                                                                                                  | Relevant fire authority                                                           | Recommending referral authority  |
|        | An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land.                                                | Relevant fire authority                                                           | Determining referral authority   |
| Clause | An application of the kind specified in a schedule to the overlay.                                                                                                                                                | Referral authority specified in a schedule to the overlay                          | Determining referral authority   |
| 44.07-4 (SRO) |                                                                                  |                                                                                  |                                |
| Clause | An application under the overlay.                                                                                                                                                                                  | Acquiring authority specified in the schedule to the overlay                       | Determining referral authority   |
| 45.01-3 (PAO) |                                                                                  |                                                                                  |                                |
| Clause | An application under the overlay.                                                                                                                                                                                  | Roads Corporation                                                                | Determining referral authority   |
| 45.07-6 (CLPO) |                                                                                  |                                                                                  |                                |
| Clause | 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   |
| 52.05  | An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am.                                                                                                        | Victorian Commission for Gambling and Liquor Regulation                           | Determining referral authority   |
| Clause | An application of the kind specified in a schedule to the overlay.                                                                                                                                                 | Referral authority specified in a schedule to the overlay                          | Determining referral authority   |
| 52.27  | 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   |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 52.29</td>
<td>An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Any other application under the Clause.</td>
<td>Owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1 or the PAO</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 53.05-1</td>
<td>An application to use or develop land for a Freeway service centre.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.
## SCHEDULE TO CLAUSE 66.04

### Referral of permit applications under local provisions

<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 2 to Clause 37.07 (UGZ)</td>
<td>An application under the zone.</td>
<td>Public Transport Development Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.5 of Schedule 3 to Clause 37.07 (UGZ)</td>
<td>An application under the zone.</td>
<td>Secretary to the Department of Economic Development, Jobs, Transport and Resources</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.6 of Schedule 6 to Clause 37.07 (UGZ)</td>
<td>An application under the zone.</td>
<td>Secretary to the Department of Economic Development, Jobs, Transport and Resources</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 2 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 2 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 3 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 3 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 4 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 4 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 5 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 5 to Clause 42.01</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 6 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 6 to Clause 42.01</td>
<td>Melbourne Water</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 8.0 of Schedule 14 to 37.07 (UGZ)</td>
<td>An application to subdivide land.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.9 of Schedule 10 to Clause 37.07 (UGZ)</td>
<td>An application required to be referred under Schedule 10 to Clause 37.07.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.8 of Schedule 11 to the Clause 37.07 (UGZ)</td>
<td>An application required to be referred under Schedule 11 to Clause 37.07.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause</td>
<td>An application to use or subdivide land, or to construct a building or construct or carry out works.</td>
<td>The airport lessee company of Melbourne Airport in accordance with the Commonwealth Airports Act 1996</td>
</tr>
<tr>
<td>45.08-6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause</td>
<td>An application to use or subdivide land or construct a building for Accommodation, Education centre or Hospital:</td>
<td>The Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
</tr>
<tr>
<td>52.09-8</td>
<td>- Within an Extractive Industry Interest Area.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- On land which is within 500 metres of land on which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.</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</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>52.21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause</td>
<td>An application in association with a bar, hotel or nightclub that is to operate after 1am.</td>
<td>Chief Commissioner of Victoria Police</td>
</tr>
<tr>
<td>52.27</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause</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>53.09</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause</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>67.02</td>
<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>
</tr>
<tr>
<td>Clause</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 Flora and Fauna Guarantee Act 1988</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.
## SCHEDULE TO CLAUSE 66.06

### Notice of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 4.0 of Schedule 2 to 37.07</td>
<td>Any application under the zone.</td>
<td>Secretary to the Department of Justice and Regulation</td>
</tr>
<tr>
<td>Clause 3.2 of Schedule 6 to 37.07</td>
<td>Any application required under Clause 3.2 of Schedule 6 to Clause 37.07.</td>
<td>Owner and occupier of the egg farm site at 170-198 Bulban Road, Werribee</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 7 to 37.07</td>
<td>Any application specified under Clause 5.0 of Schedule 7 to Clause 37.07</td>
<td>Licensee of the Brooklyn to Lara Transmission Gas Pipeline</td>
</tr>
</tbody>
</table>
APPLICATIONS UNDER SECTION 96 OF THE ACT

This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.
EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

**Class 1**
Use of land for -
Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, stone extraction, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

**Class 2**
Development of land for -
A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

**Class 3**
Any other use or development.
NOTICE REQUIREMENTS

In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.
- If a permit is only required under any of the following overlays:
  - Salinity Management Overlay
  - Floodway Overlay
  - Land Subject to Inundation Overlay
  - Special Building Overlay
  - Bushfire Management Overlay
NOTICE REQUIREMENTS - NATIVE VEGETATION

In accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under Clause 52.17 of this scheme must be given to the Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988*. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.
NOTICE EXEMPTION

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.
OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.
**Operation of the Municipal Planning Strategy**

**Municipal Planning Strategy**

The Municipal Planning Strategy at Clause 02 sets out the vision for the future development of the municipality and sets the strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

**Relationship to the Municipal Strategic Statement**

For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.

- Where Clause 21 is not included in this scheme:
  - The Municipal Planning Strategy at Clause 02.
  - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
  - A schedule to Clause 74.01.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.
OPERATION OF THE PLANNING POLICY FRAMEWORK

Purpose of the Planning Policy Framework
The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation
The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines
A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents
A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making
Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.
Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

Section 1 uses

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

Section 2 uses

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

Section 3 uses

A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
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:

- Renewable energy facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater.

with the exception of the following:

- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 1 of Part 4 of the Act, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 6 of Part 4 of the Act, the Council is the responsible authority for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, subject to the operation of section 97H of the Act.

- in relation to applications lodged, or permits issued, for the use and development of land for a renewable energy facility (other than a wind energy facility) under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to applications lodged, or permits issued, for the use and development of land for a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility, under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0

Responsible authority for administering and enforcing this planning scheme:
The Wyndham City Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0

Responsible authority for administering and enforcing a provision of this planning scheme:

East Werribee Employment Precinct
The Minister for Planning is the responsible authority for considering and determining applications in accordance with Divisions 1, 1A, 2, and 3 of Part 4 of the Planning and Environment Act 1987 and for approving matters required by the scheme to be done to the satisfaction of the responsible authority in the East Werribee Employment Precinct (see Map 1 to the Schedule to Clause 72.01) for matters limited to one or more of the following:

- Development with a building height of 3 storeys or greater.
- Use and/or development for 30 or more dwellings.
- Use and/or development with a gross floor area exceeding 2,000 square metres.
- Use and/or development where the estimated cost of development is more than $2,000,000.

The Minister for Planning is the responsible authority for the purposes of approving a development plan and associated plans, or amendments to a development plan and associated plans pursuant to Clause 4.0 of Schedule 14 to Clause 37.07.

The Minister for Planning is the responsible authority for the purposes of approving design requirements and guidelines pursuant to Clause 7.0 of Schedule 14 to Clause 37.07.

Regional Rail Link Section 2
The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 51.01 of the scheme in respect of the “Regional Rail Link Project Section 2 Incorporated Document, March 2015”.

- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Regional Rail Link Project.

Applications under the Subdivision Act 1988
Despite anything to the contrary stated in this schedule, the Council of the City of Wyndham is the responsible authority for administering and enforcing the scheme for applications for subdivision or consolidation of land including buildings or airspace and other applications made under the Subdivision Act 1988 within the municipal district of the City of Wyndham.

West Gate Tunnel Project
The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 51.01 of the scheme in respect of the “West Gate Tunnel Project Incorporated Document, December 2017”.

- Any other provision of the scheme as it applies to the use or development of land for the West Gate Tunnel Project.

Cherry Creek Youth Justice Development Project
The Minister for Planning is the responsible authority for administering and enforcing:
- The use or development of land zoned Special Use Zone – Schedule 9 for the Cherry Creek Youth Justice Redevelopment Project.

Map 1 – Schedule to Clause 72.01 – East Werribee Employment Precinct

3.0
31/07/2018
VC148

Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0
31/07/2018
VC148

Responsible authority for VicSmart applications:
The Chief Executive Officer of Wyndham City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.
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 Wyndham City Council, together with the area of Wyndham Harbour which is outside municipal boundaries. The marina can be identified as all that area of land that forms part of Port Phillip Bay beyond low and high water mark from the southern point of Lot 1, LP222211P, 25 Duncans Road, Werribee South at the intersection of the crown foreshore reserve then following a line approximately 1070 metres north east along the foreshore, 75 metres south east, 245 metres south west, 385 metres south east into Phillip Bay and 1000 metres south west at 600 metres radius back to the shore line as identified in the zoning map to this scheme.
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?

1.0

Maps comprising part of this planning scheme:
- 1, 1DDO, 1DPO, 1ESO, 1HO, 1IPO, 1PAO
- 2, 2DDO, 2DCPO, 2DPO, 2ESO, 2HO, 2IPO, 2PAO
- 3, 3DDO, 3DCPO, 3DPO, 3HO, 3PAO
- 4, 4DDO, 4DCPO, 4DPO, 4ESO, 4HO, 4IPO, 4PAO, 4VPO
- 5, 5DCPO, 5DPO, 5HO, 5PAO, 5VPO
- 6, 6ESO, 6HO, 6LSIO, 6PAO, 6SBO
- 7, 7ESO, 7PAO
- 8, 8DDO, 8ESO, 8HO, 8IPO, 8PAO
- 9, 9DDO, 9DCPO, 9DPO, 9ESO, 9HO, 9IPO, 9LSIO, 9PAO
- 10, 10DDO, 10DPO, 10DCPO, 10ESO, 10HO, 10IPO, 10PAO
- 11, 11DCPO, 11DPO, 11IPO, 11PAO, 11SBO
- 12, 12DCPO, 12DDO, 12DPO, 12EAO, 12ESO, 12HO, 12LSIO, 12PAO, 12SBO
- 13, 13DCPO, 13DDO, 13EAO, 13ESO, 13HO, 13LSIO, 13PAO
- 14, 14DCPO, 14DDO, 14DPO, 14EAO, 14ESO, 14HO, 14LSIO, 14PAO
- 15, 15DCPO, 15DPO, 15EAO, 15ESO, 15HO, 15IPO, 15PAO, 15PO
- 16, 16DDO, 16DCPO, 16DPO, 16EAO, 16ESO, 16HO, 16PAO, 16PO
- 17, 17DCPO, 17DDO, 17DPO, 17HO, 17PAO
- 18, 18DDO, 18DCPO, 18EAO, 18HO, 18LSIO, 18PAO
- 19, 19HO
- 20, 20ESO, 20HO, 20PAO, 20SCO
- 21, 21DDO, 21ESO, 21PAO, 21HO, 21SCO
- 22, 22ESO, 22HO
- 23, 23DPO, 23EAO, 23HO
- 24
- 25, 25ESO
DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the Planning and Environment Act 1987.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
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<tbody>
<tr>
<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>
</tr>
<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
</tr>
<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
</tr>
<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
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<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
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<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
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<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
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<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
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<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
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<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
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<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
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<tr>
<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
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<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
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<td>Name of document</td>
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<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads,</td>
<td>VC12</td>
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<td>(AP-17/92)</td>
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<td>Planning requirements for racing dog keeping and training (Department of</td>
<td>VC139</td>
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<td>Environment, Land, Water and Planning, August 2017)</td>
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<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
<td>VC132</td>
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<td>Principal Public Transport Network Area Maps (State Government of Victoria,</td>
<td>VC151</td>
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<td>August 2018)</td>
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<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
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<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
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<tr>
<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
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<tr>
<td>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines</td>
<td>VC150</td>
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<td>(Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
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<tr>
<td>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines</td>
<td>VC150</td>
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<td>(Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
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## Incorporated documents

<table>
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<tr>
<th>Name of document</th>
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<tr>
<td>40 Wallace Avenue, Point Cook, Incorporated Document, December 2015</td>
<td>C206</td>
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<tr>
<td>Alfred Road Precinct Structure Plan, April 2013</td>
<td>C159</td>
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<tr>
<td>Ballan Road Precinct Structure Plan, June 2014 (Amended December 2014)</td>
<td>C141</td>
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<tr>
<td>Black Forest Road North Precinct Structure Plan, December 2015</td>
<td>C170</td>
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<tr>
<td>Black Forest Road South Precinct Structure Plan, April 2013</td>
<td>C169</td>
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<tr>
<td>Black Forest Road South Native Vegetation Precinct Plan, April 2013</td>
<td>C169</td>
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<tr>
<td>Cell &quot;B&quot; Development Contributions Plan, October 1997</td>
<td>C9</td>
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<td>Cherry Creek Youth Justice Redevelopment Project Incorporated Document, August 2018</td>
<td>C222</td>
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<tr>
<td>Coogee Energy Titanium Project - Native Vegetation Offsets, October 2014</td>
<td>C196</td>
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<tr>
<td>East Werribee Employment Precinct, Precinct Structure Plan, September 2013 (Amended June 2014)</td>
<td>C181</td>
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<tr>
<td>East Werribee Employment Precinct, Native Vegetation Precinct Plan (September 2013)</td>
<td>C179</td>
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<tr>
<td>East Werribee Employment Precinct, Development Contributions Plan (September 2013 – Amended July 2017)</td>
<td>GC75</td>
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<tr>
<td>Eynesbury Station Incorporated Plan, September 2001</td>
<td>C20</td>
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<td>Fibre Optic Project, Integrated Approval Requirements, December 2002</td>
<td>VC17</td>
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<tr>
<td>Lincoln Heath South Precinct Structure Plan, September 2015</td>
<td>C194</td>
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<tr>
<td>Lot 2, LP138922, 391-395 Point Cook Road, Point Cook April 2008</td>
<td>C117</td>
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<td>Manor Lakes Development Contributions Plan, March 2012 (Amended July 2017)</td>
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<td>Manor Lakes Native Vegetation Precinct Plan, March 2012</td>
<td>C154</td>
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<td>Manor Lakes Precinct Structure Plan, March 2012</td>
<td>C154</td>
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<tr>
<td>Melbourne Geelong Interconnection Project, June 2010.</td>
<td>C138</td>
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<tr>
<td>Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017</td>
<td>GC74</td>
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<tr>
<td>Palmers Road and Robinsons Road Upgrade (Sayers Road to Western Freeway, Truganina) Incorporated Document, July 2012</td>
<td>C121</td>
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<tr>
<td>Point Cook Concept Plan, 2007 Addendum</td>
<td>C91</td>
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<tr>
<td>Point Cook West Development Contributions Plan, October 2012 (Updated July 2017)</td>
<td>GC75</td>
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<td>Point Cook West Precinct Structure Plan (including the Point Cook West Native Vegetation Precinct Plan), October 2012 (Updated September 2013)</td>
<td>C193</td>
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<td>Rail Gauge Standardisation Project, Integrated Approval Requirements, December 2002</td>
<td>VC17</td>
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<tr>
<td>Regional Fast Rail Project, Integrated Approval Requirements, December 2002</td>
<td>VC17</td>
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<tr>
<td>Regional Rail Link Project Section 2 Incorporated Document, March 2015</td>
<td>GC26</td>
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<td>Riverdale Precinct Structure Plan, September 2014</td>
<td>C176</td>
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<tr>
<td>Small Lot Housing Code, August 2014</td>
<td>GC22</td>
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<tr>
<td>Statement of Underlying Provisions - Land reserved for the Outer Metropolitan Ring and the E6 Transport Corridor, July 2010 (updated May 2012)</td>
<td>C180</td>
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<td>Tarneit North Precinct Structure Plan, September 2014 (Amended December 2014)</td>
<td>C141</td>
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<td>Tarneit West Development Contributions Plan, May 2008 (Amended July 2017)</td>
<td>GC75</td>
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<tr>
<td>The Truganina Cemetery Environmental Management Plan for Wyndham City Council (Native Vegetation Management Services, November 2004).</td>
<td>VC68</td>
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<td>Truganina Precinct Structure Plan, September 2014</td>
<td>C175</td>
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<td>Truganina Employment Precinct Development Contributions Plan (December 2009)</td>
<td>C124</td>
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<td>Truganina Employment Precinct Structure Plan (December 2009)</td>
<td>C124</td>
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<tr>
<td>Truganina South Community Precinct Structure Plan (including the Truganina South Native Vegetation Precinct Plan), May 2011</td>
<td>C123</td>
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<td>Truganina South Precinct Development Contributions Plan, June 2011 (Amended July 2017)</td>
<td>GC75</td>
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<tr>
<td>Westbrook Precinct Structure Plan, June 2014</td>
<td>C172</td>
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<tr>
<td>Westmeadows Lane and Marquands Road Development Contributions Plan December 2007 (Amended July 2017)</td>
<td>GC75</td>
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<tr>
<td>West Werribee Dual Water Supply Project Incorporated Document, February 2012</td>
<td>C146</td>
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<td>Water for a Growing West Project Incorporated Document, July 2014</td>
<td>GC18</td>
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<tr>
<td>West Gate Tunnel Project Incorporated Document, December 2017</td>
<td>GC93</td>
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<td>Wyndham Harbour Development (October 2012)</td>
<td>C156</td>
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<tr>
<td>Wyndham North Development Contributions Plan, September 2014 (Amended July 2017)</td>
<td>GC75</td>
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<tr>
<td>Wyndham West Development Contributions Plan, (Amended July 2017)</td>
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</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:

4 March 1999
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents. The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

A background document may be referenced elsewhere in this planning scheme without being listed in the table or schedule to this clause.

Table to Clause 72.08

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
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<tbody>
<tr>
<td>Central Highlands Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</td>
<td>VC106 Clauses 10 to 19</td>
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<td>Gippsland Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>Great South Coast Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>Hume Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<td>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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# Background documents

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<th>Name of background document</th>
<th>Amendment number - clause reference</th>
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<tbody>
<tr>
<td>None specified</td>
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</table>
MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or

- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
### General Terms

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include Stone extraction, Mineral extraction, or timber production from native forest.</td>
</tr>
<tr>
<td>Anemometer</td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td>Apartment</td>
<td>A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.</td>
</tr>
<tr>
<td>Approval date</td>
<td>The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.</td>
</tr>
<tr>
<td>Basement</td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td>Building height</td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td>Carriageway</td>
<td>The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.</td>
</tr>
<tr>
<td>Central Highlands region</td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td>Clear to the sky</td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td>Defendable space</td>
<td>An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.</td>
</tr>
<tr>
<td>Deflection angle</td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td>Design speed</td>
<td>The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.</td>
</tr>
<tr>
<td>Domestic services normal to a dwelling</td>
<td>A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.</td>
</tr>
<tr>
<td>Earthworks</td>
<td>Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.</td>
</tr>
<tr>
<td>Frontage</td>
<td>The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.</td>
</tr>
<tr>
<td>Gaming</td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Gaming machine</strong></td>
<td>Has the same meaning as it has in the Gambling Regulation Act 2003.</td>
</tr>
<tr>
<td><strong>Garden area</strong></td>
<td>Any area on a lot with a minimum dimension of 1 metre that does not include:</td>
</tr>
<tr>
<td></td>
<td>a) a dwelling or residential building, except for:</td>
</tr>
<tr>
<td></td>
<td>- an eave, fascia or gutter that does not exceed a total width of 600mm;</td>
</tr>
<tr>
<td></td>
<td>- a pergola;</td>
</tr>
<tr>
<td></td>
<td>- unroofed terraces, patios, decks, steps or landings less than 800mm in height;</td>
</tr>
<tr>
<td></td>
<td>- a basement that does not project above ground level;</td>
</tr>
<tr>
<td></td>
<td>- any outbuilding that does not exceed a gross floor area of 10 square metres; and</td>
</tr>
<tr>
<td></td>
<td>- domestic services normal to a dwelling or residential building;</td>
</tr>
<tr>
<td></td>
<td>b) a driveway; or</td>
</tr>
<tr>
<td></td>
<td>c) an area set aside for car parking.</td>
</tr>
<tr>
<td><strong>Geelong G21 region</strong></td>
<td>The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.</td>
</tr>
<tr>
<td><strong>Gippsland region</strong></td>
<td>The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.</td>
</tr>
<tr>
<td><strong>Great South Coast region</strong></td>
<td>The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes.</td>
</tr>
<tr>
<td><strong>Gross floor area</strong></td>
<td>The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.</td>
</tr>
<tr>
<td><strong>Ground level</strong></td>
<td>The natural level of a site at any point.</td>
</tr>
<tr>
<td><strong>Habitable room</strong></td>
<td>Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.</td>
</tr>
<tr>
<td><strong>High quality productive agricultural land</strong></td>
<td>Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:</td>
</tr>
<tr>
<td></td>
<td>a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or</td>
</tr>
<tr>
<td></td>
<td>b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.</td>
</tr>
<tr>
<td><strong>Hume region</strong></td>
<td>The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.</td>
</tr>
<tr>
<td><strong>Land capability assessment</strong></td>
<td>The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>The area covered by the Banyule, Bayside, Boroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchell Planning Scheme.</td>
</tr>
<tr>
<td>Mineral</td>
<td>Any substance which occurs naturally as part of the earth's crust, including: a) oil shale and coal; and b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. It does not include water, stone, or petroleum.</td>
</tr>
<tr>
<td>Movable building</td>
<td>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</td>
</tr>
<tr>
<td>Net floor area</td>
<td>The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.</td>
</tr>
<tr>
<td>Plot ratio</td>
<td>The gross floor area of all buildings on a site, divided by the area of the site.</td>
</tr>
<tr>
<td>Private open space</td>
<td>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</td>
</tr>
<tr>
<td>Property vegetation plan</td>
<td>A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
<tr>
<td>Radio mast</td>
<td>A mast, for radio transmission or reception in a dwelling, that is: a) with antenna, more than 14 metres above the ground; b) if attached to a building, with antenna, more than 5 metres above the roof line; c) including antenna, wider than 6 metres; or d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.</td>
</tr>
<tr>
<td>Retail</td>
<td>The sale of goods or materials, in any quantity or manner, other than by wholesale.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.</td>
</tr>
<tr>
<td>Setback</td>
<td>The minimum distance from any allotment boundary to a building.</td>
</tr>
<tr>
<td>Sexual services</td>
<td>Has the same meaning as it has in the Sex Work Act 1994.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.</td>
</tr>
<tr>
<td>Storey</td>
<td>That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>The use of farming practices and systems which maintain or enhance: a) the economic viability of agricultural production; b) the natural resource base; and c) other ecosystems which are influenced by agricultural activities.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Telecommunications line</strong></td>
<td>A wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy.</td>
</tr>
<tr>
<td><strong>Telecommunications network</strong></td>
<td>A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.</td>
</tr>
<tr>
<td><strong>Telecommunications tower</strong></td>
<td>A tower, pole or mast used as part of a Telecommunications network.</td>
</tr>
<tr>
<td><strong>Tenement</strong></td>
<td>Land comprised in:</td>
</tr>
<tr>
<td></td>
<td>a) a lot which does not adjoin another lot in the same ownership; or</td>
</tr>
<tr>
<td></td>
<td>b) lots in the same ownership and which adjoin each other.</td>
</tr>
<tr>
<td></td>
<td>Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.</td>
</tr>
<tr>
<td><strong>Utility service provider</strong></td>
<td>A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services.</td>
</tr>
<tr>
<td><strong>Verge</strong></td>
<td>The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting.</td>
</tr>
<tr>
<td><strong>Wall height</strong></td>
<td>The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.</td>
</tr>
<tr>
<td><strong>Wholesale</strong></td>
<td>The sale of goods or materials, to be sold by others.</td>
</tr>
<tr>
<td><strong>Wimmera Southern Mallee region</strong></td>
<td>The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and 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>
</tbody>
</table>
| Display area                       | The area of that part of a sign used to display its content, including borders, surrounds and logo boxes.  
                                        | It does not include safety devices, platforms and lighting structures.  
                                        | If the sign does not move or rotate, the area is one side only.                                                          |
| Animated sign                      | A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.                      |
| Bed and breakfast sign             | A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.                                                     |
| Bunting sign                       | An advertisement that consists of bunting, streamers, flags, windvanes, or the like.                                                      |
| Business identification sign       | A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information. |
| Direction sign                     | A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.    |
| Electronic sign                    | A sign that can be updated electronically. It includes screens broadcasting still or moving images.                                        |
| Floodlit sign                      | A sign illuminated by external lighting provided for that purpose.                                                                      |
| High-wall sign                     | A sign on the wall of a building so that part of it is more than 10 metres above the ground.                                             |
| Home based business sign           | A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.                |
| Internally illuminated sign        | A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.                        |
| Major promotion sign               | A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited. |
| Panel sign                         | A sign with an advertisement area exceeding 10 square metres.                                                                           |
| Pole sign                          | A sign:  
                                        | a) on a pole or pylon that is not part of a building or another structure;  
<pre><code>                                    | b) that is no more than 7 metres above the ground;                                                                           |
</code></pre>
<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>c) with an advertisement area not exceeding 6 square metres; and</td>
</tr>
<tr>
<td></td>
<td>d) that has a clearance under it of at least 2.7 metres.</td>
</tr>
<tr>
<td>Promotion sign</td>
<td>A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on or above the roof of a building, but not a verandah;</td>
</tr>
<tr>
<td></td>
<td>b) fixed to the wall of a building and which projects above the wall; or</td>
</tr>
<tr>
<td></td>
<td>c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
</tr>
</tbody>
</table>
LAND USE TERMS

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms
A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning
A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms
A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms
If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms
A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms
If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td>Accommodation</td>
<td>Land used to accommodate persons.</td>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Land used to sell or hire sexually explicit material, including:</td>
<td>Shop</td>
<td>Shop</td>
</tr>
<tr>
<td></td>
<td>a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; 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>Animal husbandry</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>Aquaculture</td>
</tr>
<tr>
<td></td>
<td>b) keep, breed, board, or train animals, including livestock, and birds; or</td>
<td>Crop raising</td>
<td>Crop raising</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>Transport terminal</td>
</tr>
<tr>
<td>Amusement park</td>
<td></td>
<td>Outdoor recreation facility</td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>A building that contains:</td>
<td>Place of assembly</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td>a) three or more coin, card, or token operated amusement machines;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td></td>
<td>b) one or more coin, card, or token operated amusement machines with</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>more than one screen or console that can be played by three or more people</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>tables.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include coin, card, or token operated children’s rides,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>amusement machines if there is the ability to receive a monetary reward,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>or premises used for a Bar or Hotel.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal husbandry</td>
<td>Land used to keep, breed, board, or train animals, including birds.</td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>Animal production</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Animal training</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Apiculture</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Horse husbandry</td>
<td></td>
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<tr>
<td></td>
<td>Racing dog husbandry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal production</td>
<td>Land used to keep or breed farm animals for the production of livestock,</td>
<td>Grazing animal production</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td>eggs, fibre, meat, milk or other animal products.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry hatchery</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals, other than domestic animals, horses, or racing</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td>dogs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apiculture</td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td>products.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate</td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>aquatic plants.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Art and craft centre</td>
<td>Land used to manufacture, display, and sell, works of art or craft, such</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>as handicrafts, paintings, and sculptures.</td>
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</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.</td>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Bar</td>
<td>Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Beauty salon</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td></td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by waging, 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>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>Carnival</td>
<td>Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles. It may include charging of electric vehicles.</td>
<td>Motor vehicle, boat, or 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></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td>Land used to dispose of human remains by burial. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Land used to care for five or more children who are not permanently resident on the land.</td>
<td>Kindergarten</td>
<td>Education centre</td>
</tr>
<tr>
<td>Cinema</td>
<td>Land used to provide screen based entertainment or information to the public.</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Circus</td>
<td>Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Land used only to display goods.</td>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Land used to provide accommodation and care services. It includes permanent, temporary</td>
<td>Residential building</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>and emergency</td>
<td>includes supervisory staff and support services for residents and visitors.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conference centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.</td>
<td></td>
<td>Function centre</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Corrective institution</td>
<td>Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Land used to cremate human remains. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td>Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.</td>
<td>Horticulture</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rice growing</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td>Timber production</td>
<td></td>
</tr>
<tr>
<td>Dance studio</td>
<td></td>
<td></td>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Data centre</td>
<td></td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Department store</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Display home centre</td>
<td>One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Domestic animal boarding</td>
<td>Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.</td>
<td>Dog breeding Domestic animal boarding</td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Land used to keep, breed, board or train domestic animals.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td></td>
<td>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 predominantly at another location. It does not include the use of dry cleaning processes on the land.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dwelling</td>
<td>A building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.</td>
<td>Bed and breakfast Caretaker's house</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td></td>
<td>Child care centre</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Employment training centre</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Primary school</td>
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<td></td>
<td></td>
<td></td>
<td>Secondary school</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Tertiary institution</td>
</tr>
<tr>
<td>Earth and energy resources</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>Accommodation</td>
</tr>
<tr>
<td>industry</td>
<td></td>
<td>Greenhouse gas sequestration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>exploration</td>
<td></td>
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<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>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<td></td>
</tr>
<tr>
<td>Electoral office</td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td>Waste-to-energy facility</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Museum</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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Retail premises</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>Freezing and cool storage</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot Solid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.</td>
<td>Conference centre Reception centre</td>
<td>Warehouse</td>
</tr>
<tr>
<td>Function centre</td>
<td>Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.</td>
<td>Betting agency Gaming premises</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Gaming premises</td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration in accordance with the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</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></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Golf course</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land.</td>
<td></td>
<td>Animal production</td>
</tr>
</tbody>
</table>

It includes:
emergency, seasonal and supplementary feeding;
- the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.

In this definition:

*Emergency feeding* means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;

*Seasonal feeding* means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;

*Supplementary feeding* means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration exploration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad,</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>Heliport</td>
<td>but without permanent facilities for the assembly and distribution of goods or passengers.</td>
<td></td>
<td>Transport terminal</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>Horse riding school, Horse stables</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Horse husbandry</td>
<td>Land used to keep, breed, board or train horses.</td>
<td>Horse riding school, Horse stables</td>
<td>Horse husbandry</td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td>Horticulture</td>
<td>Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.</td>
<td>Market garden</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Hospital</td>
<td>Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td>An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Hotel</td>
<td>Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>A building used for indoor leisure, recreation, or sport.</td>
<td>Dancing studio</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Industry</td>
<td>Land used for any of the following operations: a) any process of manufacture;</td>
<td>Materials recycling, Refuse disposal, Transfer station</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Research and development centre</td>
<td>b) dismantling or breaking up of any article;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td>c) treating waste materials;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>f) any process of testing or analysis.</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>If on the same land as any of these operations, it also includes:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>a) storing goods used in the operation or resulting from it;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) providing amenities for people engaged in the operation;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) selling by wholesale, goods resulting from the operation; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) accounting or administration in connection with the operation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Intensive dairy farm</td>
<td>Animal production</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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• an abattoir or sale yard; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Kindergarten</td>
<td></td>
<td></td>
<td>Child care centre</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.</td>
<td>Garden supplies, Plant nursery</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Laundromat</td>
<td>Land used to clean or launder clothing or household items using self-service machines.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility, Minor sports and recreation facility, Motor racing track</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td></td>
<td>Fuel depot</td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.</td>
<td>Race course</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Marina</td>
<td>Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.</td>
<td>Jetty, Mooring pole, Pier, Pontoon</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Market</td>
<td>Land used to sell goods, including foodstuffs, from stalls.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Market garden</td>
<td></td>
<td></td>
<td>Horticulture</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Medical centre</td>
<td>Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Milk depot</td>
<td>Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Land used for the exploration of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Mineral extraction</td>
<td>Land used for extraction of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following: a) sewerage or water mains; b) storm or flood water drains or retarding basins; c) flow measurement device or a structure to gauge waterway flow; d) siphons, water storage tanks, disinfection booster stations and channels; e) gas mains providing gas directly to consumers; f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood; g) a pumping station required to serve a neighbourhood;</td>
<td>Water retarding basin</td>
<td>Utility installation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; or</td>
<td>i) an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.</td>
<td>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>Motel</td>
<td>Motel</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. It may include training.</td>
<td>Motor racing track</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td>Motor repairs</td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td>Motor repairs</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 of motor vehicles, boats, or caravans, and the sale or fitting of accessories.</td>
<td>Motor vehicle, boat, or caravan sales</td>
<td>Car sales</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>Museum</td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Natural systems</td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td>Natural systems</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 drinks.</td>
<td>Nightclub</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.</td>
<td></td>
<td>Bank</td>
<td></td>
</tr>
</tbody>
</table>
| Office                            | 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. | Bank  
Electoral office  
Medical centre  
Real estate agency  
Travel agency                                                                 |                                                               |
| Open sports ground                | Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters. | Minor sports and recreation facility                                 |                                                               |
| Outdoor recreation facility        | Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.                                                                               | Amusement park  
Golf course  
Golf driving range  
Paintball games facility  
Zoo                                                                  | Minor sports and recreation facility                                 |
<p>| Paintball games facility           | Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.                                                                  | Outdoor recreation facility                                           |                                                               |
| Panel beating                      | Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.                                                                  | Motor repairs                                                         |                                                               |
| Party supplies                    |                                                                                                                                                                                                          | Restricted retail premises                                           |                                                               |
| Petroleum exploration             | Land used for petroleum exploration in accordance with the Petroleum Act 1998.                                                                                                                           | Earth and energy resources industry                                  |                                                               |
| Petroleum extraction              | Land used for petroleum extraction in accordance with the Petroleum Act 1998.                                                                                                                           | Earth and energy resources industry                                  |                                                               |
| Pier                              |                                                                                                                                                                                                          | Marina                                                                 |                                                               |
| Pig farm                          | Land used to keep or breed pigs.                                                                                                                                                                          | Animal production                                                    |                                                               |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</td>
<td>Amusement parlour, Carnival, Cinema, Cinema-based entertainment facility, Circus, Drive-in theatre, Exhibition centre, Function centre, Hall, Library, Nightclub, Place of worship, Restricted place of assembly</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td>Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td>Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.</td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Land used to keep or breed poultry.</td>
<td>Broiler farm</td>
<td>Animal production</td>
</tr>
<tr>
<td>Poultry hatchery</td>
<td>Land used to incubate and hatch poultry eggs.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Race course</td>
<td></td>
<td></td>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Land used to keep, breed, board or train racing dogs.</td>
<td>Racing dog training</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Racing dog training</td>
<td>Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.</td>
<td></td>
<td>Racing dog husbandry</td>
</tr>
<tr>
<td>Railway station</td>
<td>Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Real estate agency</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Reception centre</td>
<td></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>Marina</td>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Renewable energy facility</td>
<td>Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.</td>
<td>Wind energy facility</td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reservoir</td>
<td>A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.</td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Residential aged care facility</td>
<td>Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential building</td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Residential hotel</td>
<td>Rental residence</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include:</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td></td>
<td>a) entertainment and dancing; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include the sale of packaged liquor.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Land used by members of a club or group, or by members' guests, for religious or cultural activities, entertainment, or meetings. It may</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td></td>
<td>include food and drink for consumption on the premises, and gaming.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members’ guests, or by the public on payment of a fee.</td>
<td></td>
<td>Minor sports and recreation facility</td>
</tr>
</tbody>
</table>
| Restricted retail premises | Land used to sell or hire:  
  a) automotive parts and accessories;  
  b) camping, outdoor and recreation goods  
  c) electric light fittings;  
  d) animal supplies including equestrian and pet goods;  
  e) floor and window coverings;  
  f) furniture, bedding, furnishings, fabric and manchester and homewares;  
  g) household appliances, household electrical goods and home entertainment goods;  
  h) party supplies;  
  i) swimming pools;  
  j) office equipment and supplies;  
  k) baby and children’s goods, children’s play equipment and accessories;  
  l) sporting, cycling, leisure, fitness goods and accessories; or  
  m) goods and accessories which:  
    • Require a large area for handling, display and storage of goods; or  
    • Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. | Equestrian supplies | Shop Party supplies |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to:</td>
<td>Food and drink premises</td>
<td></td>
</tr>
</tbody>
</table>
|                    | a) sell goods by retail, or by retail and wholesale;  
|                    | b) sell services; or  
|                    | c) hire goods.                                                                                                                                                                                           | Gambling premises                                                                            |                                              |
|                    |                                                                                                                                                                                                           | Landscape gardening supplies                                                                  |                                              |
|                    |                                                                                                                                                                                                           | Manufacturing sales                                                                           |                                              |
|                    |                                                                                                                                                                                                           | Market                                                                                       |                                              |
|                    |                                                                                                                                                                                                           | Motor vehicle, boat, or caravan sales                                                         |                                              |
|                    |                                                                                                                                                                                                           | Postal agency                                                                                 |                                              |
|                    |                                                                                                                                                                                                           | Primary produce sales                                                                         |                                              |
|                    |                                                                                                                                                                                                           | Shop                                                                                         |                                              |
| Retirement village | Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village. | Accommodation                                                                                 |                                              |
| Rice growing       |                                                                                                                                                                                                           | Crop raising                                                                                  |                                              |
| Road freight terminal |                                                                                                                                                                                                         | Transport terminal                                                                           |                                              |
| Rooming house      | Land used for a rooming house as defined in the Residential Tenancies Act 1997.                                                                                                                               | Residential building                                                                          |                                              |
| Rural industry     | Land used to:                                                                                                                                                                                               | Abattoir                                                                                      | Industry                                   |
|                    | a) handle, treat, process, or pack agricultural produce;  
|                    | b) service or repair plant, or equipment, used in agriculture; or  
<p>|                    | c) manufacture mud bricks.                                                                                                                                                                                  | Sawmill                                                                                      |                                              |
| Rural store        | Land used to store unprocessed agricultural produce, or products used in agriculture.                                                                                                                      | Store                                                                                         |                                              |
| Saleyard           | Land used to hold, sell, and buy farm animals.                                                                                                                                                              |                                                                                               |                                              |
| Sawmill            | Land used to handle, cut, and process timber from logs.                                                                                                                                                     | Rural industry                                                                                 |                                              |</p>
<table>
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<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secondary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Service industry</td>
<td>Land used to launder, repair, service or wash articles, machinery, or vehicles.</td>
<td>Car wash</td>
<td>Industry</td>
</tr>
<tr>
<td>Service station</td>
<td>Land used to sell motor vehicle fuel from bowsers, and lubricants. It may include the: a) selling of motor vehicle accessories or parts; b) selling of food, drinks and other convenience goods; c) hiring of trailers; d) servicing or washing of motor vehicles; and e) installing of motor vehicle accessories or parts.</td>
<td>Dry cleaner</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor repairs</td>
<td>Industry</td>
</tr>
<tr>
<td>Shipping container</td>
<td>Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>storage</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Shop                   | Land used to sell goods or services, or to hire goods. It includes:  
- the selling of bread, pastries, cakes or other products baked on the premises;  
- demonstrations of products including music performances in shops selling recorded music. It does not include:  
- food and drink premises;  
- gambling premises;  
- landscape gardening supplies;  
- manufacturing sales;  
- market;  
- motor vehicle, boat, or caravan sales;  
- postal agency;  
- primary produce sales; or  
- trade supplies. | Adult sex product shop  
Beauty salon  
Bottle shop  
Convenience shop  
Dry cleaning agent  
Department store  
Hairdresser  
Laundromat  
Restricted retail premises  
Supermarket | Retail premises |
<p>| Sign                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                               |             |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slipway</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Solar energy facility</td>
<td>Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.</td>
<td></td>
<td>Renewable energy 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 industry</td>
</tr>
<tr>
<td></td>
<td>a) conducting geological, geophysical, and geochemical surveys;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) costeaneing 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 <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Store</td>
<td>Land used to store goods, machinery, or vehicles.</td>
<td>Boat and caravan storage Freezing and cool storage Rural store Shipping container storage Vehicle store</td>
<td>Warehouse</td>
</tr>
<tr>
<td>Supermarket</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Take away food premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Land used to accommodate any part of the infrastructure of a Telecommunications network. It</td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tertiary institution</th>
<th>Education centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timber production</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Timber yard</th>
<th>Trade supplies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trade supplies</th>
<th>Timber yard</th>
<th>Retail premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in:</td>
<td>Timber yard</td>
<td>Retail premises</td>
</tr>
<tr>
<td>a) automotive repairs and servicing;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) building;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) commerce;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) industry;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) landscape gardening;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) the medical profession;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g) primary production; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h) local government, government departments or public institutions.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tramway</th>
<th>Industry</th>
</tr>
</thead>
<tbody>
<tr>
<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>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transfer station</th>
<th>Industry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.</td>
<td></td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport terminal</td>
<td>Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.</td>
<td>Airport, Bus terminal, Heliport, Railway station, Road freight terminal, Wharf</td>
<td></td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
<td>Data centre, Minor utility installation, Reservoir, Telecommunications facility</td>
<td>Office</td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td>Store</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) to collect, treat, transmit, store, or distribute water; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It includes any associated flow measurement device or a structure to gauge waterway flow.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Land used to park or store vehicles in connection with a goods or passenger transport business.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Land used to:</td>
<td>Commercial display area, Fuel depot, Mail centre, Milk depot, Store</td>
<td>Store</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, Fuel depot, Mail centre, Milk depot, Store</td>
<td>Store</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Waste-to-energy facility</td>
<td>Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.</td>
<td></td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td></td>
<td>Minor utility installation</td>
</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Land used to generate electricity by wind force. It includes land used for:</td>
<td></td>
<td>Renewable energy facility</td>
</tr>
<tr>
<td></td>
<td>a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) an anemometer.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
</tbody>
</table>
The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

Accommodation group
Agriculture group (sub-group of Animal production)

- Agriculture
- Animal husbandry
- Animal production
- Grazing animal production
- Intensive animal production
- Cattle feedlot
  - Intensive dairy farm
  - Pig farm
  - Poultry farm
  - Broiler farm
  - Poultry hatchery

Education centre group

- Child care centre
- Kindergarten
  - Employment training centre
  - Education centre
  - Primary school
  - Secondary school
  - Tertiary institution
Earth and energy resources group

- Geothermal energy exploration
- Geothermal energy extraction
- Greenhouse gas sequestration
- Greenhouse gas sequestration exploration
- Mineral exploration
- Mineral extraction
- Petroleum exploration
- Petroleum extraction
- Stone exploration
- Stone extraction
Place of assembly group

- Amusement parlour
- Carnival
- Cinema
- Cinema-based entertainment facility
- Circus
- Drive-in theatre
- Art gallery
- Place of assembly
- Exhibition centre
- Museum
- Function centre
- Conference centre
- Hall
- Reception centre
- Library
- Nightclub
- Place of worship
- Restricted place of assembly
Recreational boat facility group

- Recreational boat facility
  - Boat launching facility
    - Boat ramp
    - Slipway
  - Marina
    - Jetty
    - Mooring pole
    - Pier
    - Pontoon
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf
Utility installation group

- Data centre
- Minor utility installation
- Water retarding basin
- Reservoir
- Telecommunications facility
Land use terms that are not nested

Art and craft centre
Brothel
Car park
Cemetery
Crematorium
Display home centre
Emergency services facility
Freeway service centre
Funeral parlour
Helicopter landing site
Home based business
Hospital
Natural systems
Research centre
Saleyard
Service station
Sign
Tramway
Veterinary centre
Winery
STRATEGIC IMPLEMENTATION
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.