PURPOSE AND VISION

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

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

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

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

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

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

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

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

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

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


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

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

Create and reinforce settlement boundaries.

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

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

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

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

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

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

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

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

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

Strategies

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

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

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

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

Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.
Note: Potential infrastructure projects and gateways are subject to Infrastructure Victoria advice and Victorian Government approval. This framework will be updated at the end of 2017, following the government response to Infrastructure Victoria’s 30 Year Plan.
Green wedges - Metropolitan Melbourne

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

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

Policy documents
Consider as relevant:

- Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan (1996)
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.
11.02-2S 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.
Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Protecting Victoria’s Environment – Biodiversity 2037 (Department of Environment, Land, Water and Planning, 2017)

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

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

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

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

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

**Policy guidelines**
Consider as relevant:

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

**Policy documents**
Consider as relevant:

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

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

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

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

Apply the hierarchy of principles for coastal planning and management:

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

Yarra River protection

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

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

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

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

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

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

**Policy documents**

Consider as relevant:

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

- The Memorandum of Understanding in relation to the Co-operative Management of the Australian Alps National Parks, agreed to by the member states and territories of Victoria, Australian Capital Territory and New South Wales
Environmentally sensitive areas

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

Policy application

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

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

Objective

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

Strategies

**Protection of human life**

Give priority to the protection of human life by:

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

**Bushfire hazard identification and assessment**

Identify bushfire hazard and undertake appropriate risk assessment by:

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

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

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

Areas of biodiversity conservation value

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

Use and development control in a Bushfire Prone Area

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

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

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

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

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

**Policy guidelines**
Consider as relevant:

• Any applicable approved state, regional and municipal fire prevention plan.

**Policy documents**
Consider as relevant:

• *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009)

• *Building in bushfire-prone areas - CSIRO & Standards Australia* (SAA HB36-1993, 1993)

• Any bushfire prone area map prepared under the *Building Act 1993* or regulations made under that Act
Floodplain management

Objective
To assist the protection of:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Policy documents
Consider as relevant:

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

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

Strategies
Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.
Prevent inappropriate development in unstable areas or areas prone to erosion.
Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

Policy guidelines
Consider as relevant:

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

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

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

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

Policy documents
Consider as relevant:
Noise abatement

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

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

Policy documents
Consider as relevant:

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

Objective
To assist the protection and improvement of air quality.

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Prevent inappropriately dispersed urban activities in rural areas.

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

Limit new housing development in rural areas by:

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

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

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

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

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

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

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.
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
- Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999)
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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:

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.
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Business

Objective

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

Strategies

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

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

Locate commercial facilities in existing or planned activity centres.

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

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

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

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

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

Objective
To manage out-of-centre development.

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

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

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

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

Objective
To ensure availability of land for industry.

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

Identify land for industrial development in urban growth areas where:

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

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

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

Policy documents
Consider as relevant:

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

Objective
To facilitate the sustainable development and operation of industry.

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

Objective
To protect industrial land of state significance.

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

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

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

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

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

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

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

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

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

Policy guidelines
Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents
Consider as relevant:

Tourism in Metropolitan Melbourne

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

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

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

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

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

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

Ensure sites and facilities are accessible to all.

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

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

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

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

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

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

Support maritime and related industries in appropriate locations.

Policy documents
Consider as relevant:

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

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

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

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

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

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

Integrate public transport services and infrastructure into new development.

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

**Policy documents**
Consider as relevant:

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:

PORTS
Planning for ports

Objective

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

Strategies

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

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

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

Policy documents

Consider as relevant:

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

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

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

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

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

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

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

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

Ensure that any use or development within port environs:

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

Policy documents
Consider as relevant:

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

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

Strategies
Protect airports from incompatible land uses.

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

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

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

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

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

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

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

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

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

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

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

Plan for areas around all airfields such that:

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

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

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

Policy documents
Consider as relevant:

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

Strategies

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

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

Policy documents

Consider as relevant:

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

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

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

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

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

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

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

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

Link areas of production and manufacturing to export markets.

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

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

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

Minimise negative impacts of freight movements on urban amenity.

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

Policy documents
Consider as relevant:


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 wastewater 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:
  - Linking People and Spaces: A Strategy for Melbourne’s Open Space Network (Parks Victoria, 2002)
  - Maribyrnong River Valley Design Guidelines (Department of Planning and Community Development, 2010)
Development and infrastructure contributions plans

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

- Planning Permit Applications in Open, Potable Water Supply Catchment Areas (Department of Sustainability and Environment, 2012)
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.
STRUCTURE OF THE MUNICIPAL STRATEGIC STATEMENT

This MSS consists of eight sections:

21.01 This first section describes the structure of the MSS.

21.02 The second section provides background information on the municipality.

21.03 The third section sets out the vision for the municipality and the approach Council has adopted in identifying objectives and strategies to achieve that vision.

21.04 – 21.07 The fourth section sets out the objectives and strategies of the MSS under four themes. Each theme is broken down into a number of sub themes as follows:

- **Clause 21.04 Land use**
  - Accommodation and housing
  - Activity centres
  - Industry, office and commercial
  - Community facilities, hospitals and medical services
  - Parks, gardens and public open space

- **Clause 21.05 Built form**
  - Heritage
  - Urban design
  - Built form character
  - Public environment

- **Clause 21.06 Transport**
  - Walking and cycling
  - Public transport
  - The road system and parking

- **Clause 21.07 Environmental sustainability**
  - Ecologically sustainable development
  - Yarra River, Merri Creek and Darebin Creek
  - Waterway quality

21.08 The fifth section details how the objectives and strategies are to be applied in the neighbourhoods of Yarra. These are the implementation strategies. The neighbourhoods are:

- Abbotsford
- Burnley – Cremorne – South Richmond (area south of Swan Street)
- North Carlton - Princes Hill
- Clifton Hill
- Collingwood
- Fairfield - Alphington
- Fitzroy
- North Fitzroy
- North Richmond (area north of Bridge Road)
- Central Richmond (area between Swan Street and Bridge Road)

21.09 The sixth section sets out the monitoring and review process.

21.10 The seventh section lists future strategic work.

21.11 The final section contains a list of reference documents which provide background information on the MSS.
MUNICIPAL PROFILE

Regional Role and Context

The City of Yarra comprises an area of 19.5 square kilometres, is located north and east of the City of Melbourne and is bounded by the Yarra River to the south and east. The Cities of Moreland and Darebin abut Yarra’s northern boundary, with Boroondara and Stonnington situated to the east and south respectively.

Yarra’s location on the City of Melbourne’s eastern boundary means Yarra plays a critical role in the inner metropolitan region. Yarra hosts:

- A range of opportunities for inner city living.
- Regional open space along the Yarra River and Merri and Darebin Creeks.
- Specialised retail shopping strips, entertainment and arts venues and services.
- Regional cultural services.
- Major hospital and associated specialist medical services.
- Community services of regional significance including TAFEs, the University of the Third Age, the Australian Catholic University, Epworth and St Vincent’s hospitals.
- Aboriginal services of State significance.
- Business activities and employment hubs with a regional catchment.
- Public transport including trains, trams and buses, servicing the surrounding suburbs and beyond, pass through and service Yarra.
- Two freeways (servicing the eastern and south eastern suburbs) as well as major arterials pass through Yarra, into the City of Melbourne and beyond.

The following profile is based on the 2006 Census data.

The People

A growing population

The number of people living in Yarra in 2006 was 69,330 – an increase of 3.4% since the 2001 Census. This was lower than the growth rate for the Melbourne Statistical Division (MSD) as a whole (7.6%).

According to the Department of Sustainability and Environment (2004 Victoria in Future Summary), population growth in Yarra will continue to increase to 2030 but the rate of growth will slow as residential redevelopment opportunities diminish. The estimated resident population of Yarra is projected to increase to about 90,000 people by 2031. This equates to an average annual increase of 0.89 per cent between 2001 and 2031. In the same period the population of Victoria is projected to increase at an average annual rate of 0.87 per cent and Melbourne Statistical Division (MSD) by 0.90 per cent.

Smaller households

Mean household size in Yarra has fallen from 2.3 persons per household in 1991 to 2.2 in 1996 and 2.13 in 2006. This trend is expected to continue. This has remained consistently below the average household size for the Melbourne Statistical Division (MSD), which fell from 2.8 to 2.7 over the same time period. In Yarra 32.4% of households are single person households.

Relatively fewer children and elderly persons than the rest of Melbourne

The age distribution of Yarra’s population also varies from the MSD with 13% (excluding overseas visitors) of people aged under 17 and 7.4% aged over 70. Both these percentages are lower than the MSD totals of 22.9% and 9.1% respectively, indicating that most of the population is...
concentrated in the working or student age ranges. In the MSD, people aged between 18 and 49 made up 47.8% of the total population. In Yarra, this figure was 62.8%, more than half the population.

Diversity of people

Yarra is culturally diverse and the home for a number of newly arrived migrants and refugees. Of Yarra’s population, 61.2% were born in Australia and 27.2% born overseas (11.6% of respondents to the Census did not report their place of birth). Of the people born overseas, the largest groups were from Vietnam 14%, the United Kingdom 14%, New Zealand 9.4%, Greece 7.9% and Italy 5.8%. Indigenous people represent 0.43% of Yarra’s population.

Occupation

The majority of Yarra’s population is of working or student age. In 2006 5.1% of Yarra residents were unemployed compared with the overall rate for Victoria of 5.4%.

The largest of the nine occupation groups in Yarra was Professionals at 40%, compared with 21% for the MSD. The next largest group for Yarra was Clerical, Sales and Service Workers at 24.4% –less than for the MSD (30.4%). In contrast, Tradespersons and Related Workers made up only 5.3%, compared with 11.2% for the MSD.

Pockets of disadvantage

Yarra is also diverse in terms of advantage (employment opportunities, educational attainment, housing ownership/tenancy, etc) and wealth. While the municipality is changing and an increasing number of professionals and higher income earners are moving into Yarra, the municipality remains home to a large number of low-income people.

Housing

As inner city living became increasingly sought after in the 1970s and 1980s, the renovation of 19th century housing stock and warehouse conversions in the 1990s and the increased growth in multi-unit developments through the early 2000s, resulted in a change to Yarra's housing stock which has become less affordable.

In comparison to the MSD, Yarra has more medium and high density housing, such as flats and units, and fewer separate houses. Yarra averages just over 39 dwellings per hectare of residentially zoned land, similar to the inner urban average of 37.4 but more than double the metropolitan average of only 18.2.

Yarra also has a high proportion of rental housing (47.7% as opposed to 24.5% for the MSD) and the highest number of residents in public housing per capita in Victoria with 10.5% of the population in public housing.

Housing growth

Under Melbourne 2030 the Inner Region comprising the Cities of Melbourne, Port Phillip, Stonnington (part) and Yarra is required to provide 90,000 additional dwellings. The Inner Region municipalities have along with the Department of Sustainability and Environment worked together to determine how this would be achieved and have together prepared the Inner Regional Housing Statement, November 2005. Yarra's share of this is 12,800 additional dwellings with 85% to be provided on strategic redevelopment sites.

Whilst the Inner Region offers considerable opportunity for further housing growth, it needs to occur in specific locations that have a demonstrated capacity to accommodate intensification. Likewise, great sensitivity is required in planning for intensification of residential development in these locations.

In line with Melbourne 2030, an increased proportion of new housing development will be encouraged on strategic redevelopment sites located close to activity centres and public transport. Conversely, reduced levels of growth will occur in established residential areas.
This approach will protect and enhance the characteristics and attributes of local areas that make them highly attractive and liveable, whilst allowing for significant opportunities in some locations to be better utilised.

The strategic outcomes are consistent with the Melbourne 2030 objective for new housing opportunities to be well located, close to transport and activity centres.

The Economy
Some 4,500 businesses operate within Yarra, employing about 55,000 people, reflecting a significant local economy that has transformed itself from its historical industrial base to a sophisticated business and service economy.

Activity centres
Yarra’s vibrant Major Activity Centres, being the retail strip centres of Brunswick, Smith, Victoria and Swan Streets and Bridge Road, are a powerful economic engine for the municipality, and in varying degrees draw on tourists and destination shoppers from overseas, interstate and country Victoria as well as Greater Melbourne.

These activity centres are a vital part of Yarra's culture and continue to evolve. The past two decades has seen a virtual reinstatement of their regional service role, a function which they had commanded through the late nineteenth and early twentieth century prior to the car based suburbanisation of Melbourne. However this regional role is no longer driven by mainstream retail operations. Rather it is driven by the aggregation of niche offerings in fashion, hospitality, entertainment, and homewares. Yarra's activity centres rely on their regional function with a high proportion of retail turnover coming from outside the municipality. Yarra also has a range of Neighbourhood Activity Centres which play an important local role.

Commerce
The expansion of the tertiary sector and its location in the inner Melbourne region close to the CBD has already resulted in Yarrab being an increasing focus for finance, property and business services, cultural/recreational tourism, and wholesale and distribution activities. Yarra has also become a preferred location for many smaller and medium sized businesses, particularly those in computer technology, marketing and design. This trend is expected to continue.

Industry
Corresponding to the increase in professional employment, the traditional heavy industrial activity of the past is being replaced by modern enterprises involved in assembly, warehousing and distribution and research and application of technology. Industry has moved away from the traditional textile, clothing and footwear to printing, publishing, recorded media, and business services and office activities.

While traditional manufacturing activity has declined, a core of these types of enterprises still remain in the municipality, many of which are responding to economic pressures through embracing new technologies and identifying specialist and export markets. Yarra remains home to a number of large, well-established industrial firms including Carlton and United Beverages and Amcor.

Arts and culture
Yarra’s role as a centre for live music is widely acknowledged, along with the capacity of Yarra’s music venues to support emerging musicians. Yarra is also known for the number and diversity of commercial and community arts and cultural facilities located in the municipality, in particular the high number of commercial art galleries. Many of the activities are concentrated in the vicinity of Gertrude Street, Fitzroy, and at the southern end of Smith and Brunswick Streets, Fitzroy. A number of galleries are also located in Richmond.
Transport
Amenity is adversely impacted by high volumes of traffic moving through the municipality, much of it bound for destinations outside Yarra. In Yarra 20.1% of households do not have motor vehicles, compared with 9.4% for the MSD.

A positive outcome of Yarra’s central location is its access to well established public transport networks. This is reflected in the fact that 42.1% of the population walked, cycled or used public transport to travel to work compared with 15.9% for the MSD. Trends for non-car travel and in particular for cycling are on the increase.

There are many factors that attract people to the City of Yarra, including its location in relation to the CAD, the range of shops, food and drink and entertainment facilities. Public transport is one of a number of factors. Currently public transport in Yarra suffers from overcrowding. In peak hour there is little spare capacity on train or tram services.

Most of Yarra is within easy access of public transport. However residents report many limitations in the public transport system, especially when travelling from the north of Yarra to the southeast. This is heightened at night when bus services become far less frequent, and tram and train service levels are lower or non-existent.

Public transport in Yarra includes 14 tram routes, nine rail stations, five train lines (Belgrave, Epping, Glen Waverley, Hurstbridge and Lilydale), and 23 bus services. The main issues for residents include frequency, time span of services, safety, crowding, and inadequate staffing levels of both stations and trains.

Trams are the most important individual motorised sustainable transport mode in Yarra. Trams are used by 12.7% of Yarra’s residents daily to get to work, compared with Melbourne's average at 2.0%. Trams also rate highest for all daily trips, Monday to Sunday from Yarra to all parts of Melbourne, after car trips and walking. Trams are facing the problem of growing interference from traffic, reducing tram reliability and making services slower.

Rail patronage by Yarra residents (9.2%) is higher than the Melbourne average (8.5%). The poor quality of station environments is a major factor preventing better patronage. Most stations in Yarra are uninviting and safety at stations is a critical issue.

There are 23 bus services that run through Yarra. Patronage is very low with just 1.4% of residents using the bus for their journey to work15 (slightly higher than the Melbourne average of 1.2%).

There is a need to address the significant traffic and transport challenges facing Yarra, however these require intervention by road and public transport authorities. Council is very active in lobbying for change that will reduce the impact of traffic and improve public transport.

Built Form
Analysis of Yarra's built form shows a clear picture of a low rise urban form with areas of higher development.

The range of residential built form types incorporates ‘urban’ residential areas that present uninterrupted terraced frontages to the street, often with little or no front setback. Other inner areas, while still predominantly small in lot size, present a more suburban appearance with modest front setbacks, often with cottage front gardens and small gaps between buildings. In Fairfield and Alphington, there is a more spacious, garden character, with generous front and side setbacks, large back yards, and a profusion of vegetation. The large public housing estates provide a contrasting built form character of apartment buildings set in landscaped grounds. There are also examples of larger scale modern infill development.

Yarra’s retail activity centres, extending along much of Yarra’s arterial road network, are prominent components of the urban fabric.
YARRA PLANNING SCHEME

Heritage

Yarra’s traditional owners are the Wurundjeri people of the Kulin Nation. The Kulin nation comprised five distinct language groups. There is some dispute as to the exact boundaries between the various clans and groups. However it is clear that the area around central Melbourne was a significant meeting place for the Kulin clans. The area that is now known as Richmond, Collingwood and Fitzroy was the land of the Wurundjeri people.

Yarra is formed from the former Cities of Fitzroy, Richmond, Collingwood and the suburbs of Princes Hill, North Carlton, Alphington, and part of Fairfield. In the years after European settlement, Fitzroy became Melbourne’s first suburb and today is an excellent example of the building fabric of the 1850s and 1860s. The history of development can be traced in the transition of the heritage fabric across Yarra. While Yarra is mostly known for its Victorian and Edwardian streetscapes, there are pockets of significant interwar fabric.

Many significant public, civic and private buildings can be found throughout the municipality and large areas are of post-colonial cultural heritage significance.

The ‘World Heritage Environs Area’ (WHEA) surrounds the World Heritage listed Royal Exhibition Building and Carlton Gardens, Carlton. The WHEA, which includes land within South Fitzroy, acts as a buffer zone for the World Heritage property and provides a setting and context of significant historic character for the World Heritage property.

Open space resources

Yarra has a wide range of open space from urban pocket parks to areas with high natural values. The Merri Creek and Yarra River have adjoining linear open space reserves which are valued by residents of Yarra and wider metropolitan Melbourne for their recreational and nature conservation values. Yarra is also renowned for the large historical gardens particularly Edinburgh Gardens in North Fitzroy and Darling Gardens in Clifton Hill.

There is an inherent discrepancy in open space distribution across the municipality due to historical settlement patterns and types of land use. The majority of Yarra's open space is located in the north-eastern area of the municipality with just over 70% located in North Fitzroy, Clifton Hill, Alphington and Fairfield, where 25% of the population lives. By contrast, Collingwood has just 0.12 hectares of open space with 7.4% of the population in residence there. 13% of Yarra's population lives in Fitzroy where there is a total of 2.2 hectares of open space. Other areas with almost no open space include Cremorne and North Richmond. There are important open space resources adjacent to Yarra’s boundary, one of which is Princes Park.

The Environment And Natural Systems

Yarra is highly urbanised and the natural environment has been substantially modified. Consequently the waterways, parklands and public open spaces are important in an otherwise highly developed area.

The Yarra River, and Darebin and Merri Creeks form an important ecological corridor.

Urban development has reduced the diversity of indigenous flora and fauna and resulted in the loss of native habitats. Few areas of remnant native vegetation remain in the municipality except some along the Yarra River and the northern waterways. These areas of regional, high local or local significance have been identified so that they can be protected.

The Yarra River corridor is enhanced by a range of associated recreational opportunities, including the Main Yarra Trail, Fairfield Park Boathouse, Yarra Bend Park, Dights Falls, Abbotsford Convent, and the Collingwood Children’s Farm.
VISION

IN THE CITY OF YARRA IN 2020:

Land Use

- The City will accommodate a diverse range of people, including families, the aged, the disabled, and those who are socially or economically disadvantaged
- Yarra will have increased opportunities for employment
- There will be an increased provision of public open space
- The complex land use mix characteristic of the inner City will provide for a range of activities to meet the needs of the community
- Yarra's exciting retail strip shopping centres will provide for the needs of local residents, and attract people from across Melbourne

Built Form

- Yarra’s historic fabric which demonstrates the development of metropolitan Melbourne will be internationally recognised
- Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks
- People will safely get together and socialise in public spaces across the City
- All new development will demonstrate design excellence

Transport

- Local streets will be dominated by walkers and cyclists
- Most people will walk, cycle and use public transport for the journey to work

Environmental sustainability

- Buildings throughout the City will adopt state-of-the-art environmental design
- Our natural environment will support additional species of flora and fauna

This vision is pursued by the objectives and strategies set out in the land use, built form, transport, environmental sustainability and neighbourhood sections under Clauses 21.04-21.08.
FIGURE 1. STRATEGIC FRAMEWORK PLAN

LEGEND
- Neighbourhood Activity Centre
- Major Activity Centre
- Commercial and Industrial Area
- Core Industrial Area
- Potential Commercial and Industrial Area
- Specialist Medical Precinct
- Open Space

Notes:
The map is indicative only.
FIGURE 2. RESIDENTIAL DEVELOPMENT OPPORTUNITIES MAP
Accommodation and housing

Yarra is experiencing consistent residential growth. The Metropolitan Strategy, *Melbourne 2030*, identifies that this trend will continue.

Yarra will continue to accommodate its share of the housing growth of the inner Melbourne Metropolitan region (comprising the Cities of Melbourne, Port Phillip, Stonnington and Yarra). However, in order to protect valued character, and particularly its heritage places, the majority of new development will be accommodated on strategic redevelopment sites. These sites are generally located in, abutting, or close to activity centres, or in locations that offer good access to services and transport as required under *Melbourne 2030*. Other areas such as those in Mixed Use or Business zones will accommodate some population growth, while most established Residential 1 zones are stable and will experience minimal change. See Figure 2.

The diverse population of Yarra is valued by the community. In land use terms this will be managed by encouraging the provision of housing for all household structures, and for people with diverse needs. As the population ages, disabilities are becoming more prevalent and a wider range of housing is required. Provision needs to be made for housing that can be adapted to cater for people with disabilities and older persons.

In accommodating new development, the following are under threat and, where possible, must be retained:

- Housing appropriate for families with children
- A continued supply of good quality affordable housing. This includes both existing housing stock and new development
- Rooming house accommodation
- Private and public housing stock and residential care to cater for an ageing population.

Due to the historic mixed land use pattern of Yarra the interface of residential land use and commercial and industrial activities must be managed to provide reasonable amenity for residents. It is also important that new development provides high levels of amenity for existing and future residents.

Objective 1  To accommodate forecast increases in population.
Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08.
Strategy 1.2 Direct higher density residential development to *Strategic Redevelopment Sites* identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.
Strategy 1.3 Support residual population increases in established neighbourhoods.

Objective 2  To retain a diverse population and household structure.
Strategy 2.1 Support the provision of affordable housing for people of all abilities, particularly in larger residential developments and on Strategic Redevelopment Sites.
Strategy 2.2 Encourage residential development which allows people to age in their existing homes and communities by supporting a range of housing types.
Strategy 2.3 Support the development of new residential care facilities.
Strategy 2.4 Encourage the retention of dwellings in established residential areas that are suitable for families with children.

Objective 3  To reduce potential amenity conflicts between residential and other uses.
Strategy 3.1 Ensure new residential development in the Mixed Use, Business 1, Business 2, and Business 5 Zones and near Industrial and Business Zones is designed to minimise the potential negative amenity impacts of existing non-residential uses in the vicinity.
Strategy 3.2 Apply the Interface Uses policy at clause 22.05.
Strategy 3.3 Ensure the location, design and operation of community facilities minimises the potential for negative amenity impacts on the surrounding area.
Strategy 3.4 Discourage late night and 24 hour trading activities located near residential zones to minimize impacts on residential amenity.
Strategy 3.5 Apply the Caretakers’ Houses policy at clause 22.06.
Strategy 3.6 Apply the Licensed Premises policy at clause 22.09.
Strategy 3.7 Apply the Discretionary Uses in the Residential 1 Zone policy at clause 22.01.

Activity centres

Activity centres in Yarra have a retail, hospitality, and service focus. Because of the pattern of development in the municipality, almost all residents are within 400m of an activity centre. The provision of local services is therefore important for maintaining the character of activity centres as local destinations.

The presence of service, retail and entertainment uses creates active and vibrant activity centres with good access to services and facilities, which is an important attribute of the municipality.

Under Melbourne 2030 Yarra has five Major Activity Centres with a regional retail and entertainment focus. These are Swan, Victoria, Smith and Brunswick Streets and Bridge Road. Yarra also has a number of neighbourhood activity centres which serve local needs. While the Major Activity Centres will continue to be supported to grow and prosper, the need for the provision of shops and services to provide for local day-to-day needs must be met in all activity centres.

The activity centres are almost all centred around elongated commercial strips stretched out along Yarra's main roads and feeder roads. Abutting uses along the length of the strips are generally residential, creating interface conflicts where some uses are not well managed or inappropriate uses are permitted.

The Business 1 Zone footprint of existing activity centres should remain unchanged as there is scope for further development of the centres to meet projected demand. For example, some centres have discontinuities in their retail or service frontages and there may be existing built stock and land parcels which are underutilised.

In special circumstances, Council may consider rezonings, but only when compliance with the following criteria is clearly demonstrated:

- The proposal includes a significant opportunity for improved public gathering spaces;
- The proposal would facilitate correction of known retail gaps and shortfalls, principally plugging deficiencies in Yarra’s network of local food and grocery facilities; and
- Offers the opportunity for advantageous re-use of a heritage building or the creation of a built form which will support a better interface between the existing retail area and surrounding fabric.

Music venues, arts and cultural facilities also contribute to Yarra's character and cultural life, and to its activity centres.

Objective 4 To maintain a balance between local convenience and regional retail roles in Yarra’s activity centres.

Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres.

Strategy 4.2 Support the regional role of the Major Activity Centres as an important component of Yarra's economy and as a metropolitan destination.

Strategy 4.3 Support the role of all activity centres, including Neighbourhood Activity Centres, in providing local day-to-day needs of residents of all abilities.

Objective 5 To maintain the long term viability of activity centres.

Strategy 5.1 Limit expansion of the Business 1 Zone and new parcels of Business 1 zoning.

Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.

Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.

Strategy 5.4 Permit residential development that does not compromise the business function of activity centres.

Objective 6 To require gaming venues to demonstrate no net negative impact from electronic gaming machine gambling.

Strategy 6.1 Ensure the establishment of new or additional gaming machines does not occur proximate to relatively disadvantaged or vulnerable communities.

Strategy 6.2 Support the redistribution of gaming machines away from vulnerable communities.
Strategy 6.3 Discourage gaming machines from locating or increasing where there is a likelihood of significant convenience gaming occurring.

Strategy 6.4 Apply the Gaming policy at clause 22.15.

Objective 7 To encourage the arts and arts venues.

Strategy 7.1 Support a diversity of arts uses such as live music venues, performance spaces, galleries and artist studios in appropriate and accessible locations.

Industry, office and commercial

Within Yarra the volume of commercial and associated uses is so significant that they form clusters of interrelated activity.

The commercial and industrial sectors underpin a sustainable economy and provide employment. Yarra plans to retain and foster a diverse and viable economic base.

The decline in manufacturing activity has created an opportunity for service businesses which has maintained employment levels within Yarra. There is also a continuing demand for industrial land for those activities that value an inner metropolitan location. For this reason some land, as identified on the neighbourhood plans, can be rezoned to permit a combination of industrial and office use. In these areas rezonings to permit residential uses would not be supported, as residential amenity requirements are a threat to the survival of ongoing industrial activities.

In addition to the above, a number of industrial operations exist throughout Yarra that are located on isolated industrial sites in residential areas, away from other concentrations of business, without access to main roads. If the existing isolated businesses close or relocate, rezoning options that reflect the predominant pattern of the surrounding uses will be considered.

Objective 8 To increase the number and diversity of local employment opportunities.

Strategy 8.1 Support rezonings, as identified on the relevant Neighbourhood plan, to permit increased commercial and office use in existing industrial areas.

Strategy 8.2 Support home-based businesses.

Strategy 8.3 Encourage residential and business land use within the Mixed Use Zone to locate on the same site.

Strategy 8.4 Discourage Business 2 Zones becoming de facto residential zones whilst at the same time recognising that some residential opportunities can be accommodated in these zones.

Strategy 8.5 Support opportunities for new uses on isolated industrial sites provided they reflect the predominant surrounding uses.

Strategy 8.6 Apply the Caretakers’ Houses policy at clause 22.06

Community facilities, hospitals and medical services

Council wishes to retain community services which cater to a range of needs (in particular for disadvantaged groups). Community facilities may be private or not for profit organizations. While large regional facilities such as the Epworth and St Vincent’s hospitals are important to the community, their operation and expansion must respond to the local context.

Objective 9 To provide community services that meet the needs of a diverse and changing community.

Strategy 9.1 Require applicants to prepare a social impact assessment for all large scale residential development where it is considered that there is a significant impact on existing social infrastructure.

Strategy 9.2 Consider opportunities for the appropriate provision of, or contribution towards, community facilities or services to support new residents, for large scale residential development proposals.

Objective 10 To provide accessible community services.

Strategy 10.1 Encourage community facilities and services to co-locate and to locate within or adjacent to activity centres and locations that support multi-purpose trips and shared parking arrangements for people of all abilities.

Strategy 10.2 Encourage community facilities to locate where they are easily accessible by public transport.

Objective 11 To limit the impact of regional community facilities.

Strategy 11.1 Require the preparation of master plans for regional community facilities including hospitals and schools.
Parks, gardens and public open space

The importance of public open space in an inner city environment is heightened by the density of development, and the limited availability of private open space. Much of the recent and future residential development has and will occur in areas deficient in open space. In these neighbourhoods the provision of private open space for new residential development is particularly important.

Given that resources to significantly expand Yarra’s open space network are limited, there must be a focus on protecting and enhancing the assets of the existing system. There needs to also be an equitable system of open space contributions. In all neighbourhoods except Clifton Hill, Fairfield and Alphington, this should, where suitable in terms of size and location of development, be the provision of land.

Objective 12  To establish a linked open space network.
Strategy 12.1 Develop shared pathways and linkages between open space areas across the municipality and to open space adjacent to the municipality.
Strategy 12.2 Pursue additional public access along the banks of the Rivers.

Objective 13  To provide an open space network that meets existing and future community needs.
Strategy 13.1 Apply the Public Open Space Contribution Policy at clause 22.12.
Strategy 13.2 Avoid the loss of open space and new development in open space unless directly used for sport, leisure or passive recreation.
Strategy 13.3 Ensure new development does not have a negative impact on adjoining open space.
BUILT FORM

Heritage

With over half of the municipality having heritage protection, heritage features, including buildings, subdivision patterns, open spaces, and streetscapes, underpin Yarra’s valued character.

Factors that contribute to the heritage character of particular neighbourhoods include the period of development and pattern of subdivision, predominant land uses, and the original socio-economic structure of the population. This has created unique neighbourhoods and retail activity centres which are identified in Yarra’s Heritage Overlays. These factors must be considered when understanding a site’s significance. The cultural significance of heritage places must not be compromised by new development.

In conserving areas of heritage significance there is also a need to provide for adaptive reuse and change of buildings.

Objective 14 To protect and enhance Yarra’s heritage places.
Strategy 14.1 Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.
Strategy 14.2 Support the restoration of heritage places.
Strategy 14.3 Protect the heritage skyline of heritage precincts.
Strategy 14.4 Protect the subdivision pattern within heritage places.
Strategy 14.5 Protect the significant landscape and heritage within streets, parks, gardens, waterways or other open spaces.
Strategy 14.6 Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.
Strategy 14.7 Protect sites of significance to Aboriginal people.
Strategy 14.8 Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02
Strategy 14.9 Apply the Landmarks and Tall Structures policy at clause 22.03

Objective 15 To protect the setting and context of the World Heritage Listed Royal Exhibition Building and Carlton Gardens.
Strategy 15.1 Manage future development within the World Heritage Environs Area surrounding the World Heritage Listed Royal Exhibition Building and Carlton Gardens.
Strategy 15.2 Protect views to the Royal Exhibition Building from Gertrude Street and Marion Lane through the application of the Design and Development Overlay.

Urban design

Looking at the built form of the whole municipality, a clear picture emerges of a low-rise urban form punctuated by pockets of higher development. The low-rise urban form that constitutes much of the municipality is mostly in the one to two storey range, with some three and four storey buildings. The pockets of taller buildings include the high-rise housing estates, some industrial (or ex-industrial) complexes and the landmark towers, spires and signs. Activity centres being generally Victorian and Edwardian in origin, are generally two storeys, with some higher signature buildings.

This characteristic is important as it helps to differentiate Yarra from the urban form of adjoining cities, particularly the City of Melbourne, thus strengthening its sense of place.

Other key characteristics are identified in Figure 3, the Urban Form Framework Plan.

Objective 16 To reinforce the existing urban framework of Yarra.
Strategy 16.1 Reinforce the Yarra River Corridor as the key ecological and open space element of the urban framework.
Strategy 16.2 Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.
Strategy 16.3 Maintain key vistas along the Yarra River Corridor.

Objective 17 To retain Yarra’s identity as a low-rise urban form with pockets of higher development.
Strategy 17.1 Ensure that development outside activity centres and not on Strategic Redevelopment Sites reflects the prevailing low-rise urban form.
Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:

- Significant upper level setbacks
- Architectural design excellence
- Best practice environmental sustainability objectives in design and construction
- High quality restoration and adaptive re-use of heritage buildings
- Positive contribution to the enhancement of the public domain
- Provision of affordable housing.

Strategy 17.3 Apply the Landmarks and Tall Structures policy at clause 22.03.
Strategy 17.4 Apply the Residential Built Form policy at clause 22.13.

**Objective 18** To retain, enhance and extend Yarra’s fine grain street pattern.

Strategy 18.1 Encourage the re-establishment of streets and laneways through new development sites where such links were part of the historic street pattern, except where this will cause detrimental traffic impacts.
Strategy 18.2 Enhance the amenity of laneways by applying the Development Abutting Laneway policy at Clause 22.07.

**Objective 19** To create an inner city environment with landscaped beauty.

Strategy 19.1 Require well resolved landscape plans for all new development.
Strategy 19.2 Encourage opportunities for planting suitable trees and landscape areas in new development.
Strategy 19.3 Encourage the retention of mature vegetation.
Strategy 19.4 Protect mature and healthy flora species where they have heritage value or are a valued part of the character of an area.

**Objective 20** To ensure that new development contributes positively to Yarra’s urban fabric.

Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.
Strategy 20.2 Require development of Strategic Redevelopment Sites to take into account the opportunities for development on adjoining land.
Strategy 20.3 Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.
Strategy 20.4 Apply the Built Form and Design policy at clause 22.10.

**Objective 21** To enhance the built form character of Yarra’s activity centres.

Strategy 21.1 Require development within Yarra’s activity centres to respect and not dominate existing built form.
Strategy 21.2 Require new development within an activity centre to consider the context of the whole centre recognising that activity centres may consist of sub-precincts, each of which may have a different land use and built form character.
Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.

**Objective 22** To encourage the provision of universal access in new development.

Strategy 22.1 Encourage applicants to take into account the access needs of all people in the design of new buildings.

**Built form character**

New development must respond to Yarra’s built and cultural character, its distinct residential ‘neighbourhoods’ and individualised shopping strips, which combine to create a strong local identity.

Four Structural elements and thirteen built form character types have been identified for areas that are not covered by the Heritage Overlay. These are:

<table>
<thead>
<tr>
<th>Structural Element</th>
<th>Built Form Character Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential areas</td>
<td>• Garden Suburban Residential - spacious garden settings and generous setbacks and spaces</td>
</tr>
<tr>
<td></td>
<td>between buildings</td>
</tr>
<tr>
<td></td>
<td>• Inner Suburban Residential - built form dominated residential areas with small gardens</td>
</tr>
<tr>
<td></td>
<td>(if any) and minimal front and side setbacks</td>
</tr>
<tr>
<td></td>
<td>• Urban Residential - built form dominated residential areas with mostly no front and side</td>
</tr>
<tr>
<td></td>
<td>setbacks</td>
</tr>
</tbody>
</table>
## Yarra Planning Scheme

### Structural Element | Built Form Character Type
---|---
| Public Housing Estates - enclaves of residential development set in extensive grounds
| Yarra River Corridor | Park Landscape River Edge - where the river bank adjoins an area of parkland, a golf course or landscaped grounds
| | Leafy Suburban Residential River Edge - where the river bank abuts the vegetation dominated backyards of low density, garden suburban dwellings
| | Current and Ex-Industrial River Edge - where the river bank adjoins an area once dominated by industry or an area of industrial buildings mostly still in use for that purpose
| | Freeway River Edge - where the river bank adjoins a freeway
| Non-Residential areas | Non-Residential areas
| Transport Corridors | Main Roads
| | Boulevards
| | Hoddle Street/ Punt Road
| | Rail Corridors

### General Objective

#### Objective 23
To maintain and strengthen the identified character of each type of identified built form within Yarra.

**Strategy 23.1**
Require applicants for planning permits to identify the Built Form Character Types in which the subject site is located by reference to Maps in clause 21.08 Neighbourhoods and to identify how the proposed development responds to the Built Form Character Type.

### Residential areas

#### Objective 24
To maintain and reinforce preferred character.

**Strategy 24.1**
Apply the Residential Built Form policy at clause 22.13.

### Yarra River Corridor

The Yarra River Corridor has a topography that is visually undermined by larger scale development sited too close to its banks. In addition, there are a number of distinct types of landscape and built form through which the Yarra River passes. While there are stretches of the Yarra River Corridor in which buildings have a strong presence, upstream from the section dominated by the Monash Freeway, the natural features of the Corridor should predominate. There is a need to protect and enhance the landscape qualities of the Corridor, as seen from within the Corridor, and vantage points outside the Corridor. To maintain the character of the Corridor it is important to recognize that different forms of development will be appropriate in different sections of the Corridor. Prescribing maximum building heights and setbacks is necessary for some sections of the Corridor.

#### Objective 25
To ensure that development maintains and enhances the environmental, aesthetic and scenic qualities of the Corridor.

**Strategy 25.1**
Apply the Design and Development Overlay Schedule 1.

**Strategy 25.2**
Ensure development in the Corridor upstream of Church Street, Cremorne, keeps the overall scale of the development within the prevailing scale of built form within the municipality.

**Strategy 25.3**
Use a combination of height, setback and vegetation screening to protect and enhance the landscape qualities of the Corridor as a vegetation-dominated Corridor, particularly in views from roads, paths and rail corridors and areas of public open space adjacent to the Corridor or on the opposite bank.
Transport corridors

Transport corridors offer a window into the City of Yarra seen by thousands of people every day. In Yarra many main roads double as centres of community and commercial activity, and are part of local community identity. In categorising main roads from a built form perspective it is logical to differentiate them by built form character, rather than traffic function.

Objective 26 To improve the built form character of transport corridors.
Strategy 26.1 Reinforce the scale and formality of the landscape along boulevards.
Strategy 26.2 Maintain the dominance of the avenue trees over built form along boulevards.
Strategy 26.3 Improve the consistency of the built form along Hoddle Street–Punt Road
Strategy 26.4 Strengthen the built form definition of the main road intersections along Hoddle Street-Punt Road within the prevailing scale of development in Yarra.
Strategy 26.5 Ensure that buildings visible from rail corridors are attractively designed.

Non residential areas

Objective 27 To improve the interface of development with the street in non-residential areas.
Strategy 27.1 Allow flexibility in built form in areas with a coarse urban grain (larger lots, fewer streets and lanes).
Strategy 27.2 Require new development to integrate with the public street system.

Public environment

New development must add positively to Yarra's overall character and help create a safe and engaging public environment where pedestrian activity and interaction are encouraged. Public spaces and urban squares provide outdoor spaces for people to meet and gather. Opportunities to create such spaces will be sought.

There is a need to ensure that, as development occurs, Yarra’s public environment, buildings and transport infrastructure are accessible to all people.

Objective 28 To provide a public environment that encourages community interaction and activity.
Strategy 28.1 Encourage universal access to all new public spaces and buildings.
Strategy 28.2 Ensure that buildings have a human scale at street level.
Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.
Strategy 28.4 Require new development to consider the opportunity to create public spaces as part of new development.
Strategy 28.5 Require new development to make a clear distinction between public and private spaces.
Strategy 28.6 Require new development to consider the creation of public access through large development sites, particularly those development sites adjacent to waterways, parkland or activity centres.
Strategy 28.7 Discourage the creation of ‘gated communities’ that do not integrate with surrounding areas.
Strategy 28.8 Encourage public art in new development.
Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.
Strategy 28.10 Require site rezonings for new development to consider the inclusion of public domain improvements commensurate with the new use.

Objective 29 To ensure that advertising signage contributes positively to Yarra.
Strategy 29.1 Apply the Advertising Signs Policy at clause 22.04.
TRANSPORT

Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives. This is also a key message of Melbourne 2030 and fundamental to the health and well-being of the community.

While the scope of the planning scheme in managing an integrated transport system is limited, Council will work towards improving the quality of walking and cycling infrastructure as a priority. Note that the term “walking” includes people who use wheelchairs.

Parking availability is important for many people, however in Yarra unrestricted car use and parking is neither practical nor achievable. Car parking will be managed to optimise its use and to encourage sustainable transport options.

Walking and cycling

Objective 30 To provide safe and convenient pedestrian and bicycle environments.
Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.
Strategy 30.2 Minimise vehicle crossovers on street frontages.
Strategy 30.3 Use rear laneway access to reduce vehicle crossovers.

Public transport

Objective 31 To facilitate public transport usage.
Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.

The road system and parking

Objective 32 To reduce the reliance on the private motor car.
Strategy 32.1 Provide efficient shared parking facilities in activity centres.
Strategy 32.2 Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.

Objective 33 To reduce the impact of traffic.
Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.
Strategy 33.2 Ensure the level of service needed for new industrial and commercial operations does not prejudice the reasonable needs of existing industrial and commercial operations to access Yarra’s roads.
ENVIRONMENTAL SUSTAINABILITY

There is a critical need to reduce greenhouse gas emissions and improve air quality, minimise water use, protect important vegetation and waterways, and reduce waste.

The Yarra River Corridor along with the Merri and Darebin Creek Corridors are the most important ecological features of Yarra and must be protected and enhanced.

New land use and development within and adjacent to these Corridors will be managed to maintain ecological health. This will be balanced with the recognition that the Corridors are Yarra’s most significant area of open space. Areas of significant vegetation together with wild life habitat will be protected and enhanced by planting indigenous vegetation including on adjoining public or private land.

Council will also seek to address environmental sustainability through sustainable building design and construction.

Environmentally sustainable development

Objective 34  To promote environmentally sustainable development.
Strategy 34.1 Encourage new development to incorporate environmentally sustainable design measures in the areas of energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.
Strategy 34.2 Apply the environmental sustainability provisions in the Built Form and Design policy at clause 22.10-3.5
Strategy 34.3 Apply the Environmentally Sustainable Development policy at clause 22.17

Objective 35  To protect wildlife habitat, provide habitat linkages and arrest the loss of biodiversity.
Strategy 35.1 Apply the Protection of Biodiversity policy at clause 22.08.

Yarra River, Merri Creek and Darebin Creek.

Objective 36  To balance the ecological and recreational potential of the waterway Corridors.
Strategy 36.1 Allow opportunities for passive and active recreation in areas where protecting indigenous flora and vegetation communities and wild life habitat is not the primary objective.

Objective 37  To protect and enhance the environmental values of land within the waterway Corridors.
Strategy 37.1 Protect, maintain, regenerate, restore or enhance (whichever is appropriate) features or locations of environmental significance.
Strategy 37.2 Develop and maintain continuous riparian vegetation along the waterways, across public and private land upstream of Punt Road.
Strategy 37.3 Ensure the use of indigenous trees and plants in public and private landscaping within and adjacent to the waterways Corridors.
Strategy 37.4 Ensure development along the waterway Corridors includes a landscaped buffer zone of indigenous plants to enhance the habitat value of the Corridor.

Waterway quality

Objective 38  To improve the water quality and flow characteristics of storm water run-off.
Strategy 38.1 Encourage the use of stormwater retention and treatment devices.
Strategy 38.2 Ensure that development:
  
  • reduces peak and total volumes of storm water run-off.
  • improves the quality of storm water run-off.
  • minimises the potential for soil erosion and silt deposition.
NEIGHBOURHOODS

This section sets out the locally specific implementation of the objectives and strategies of clauses 21.04 to 21.07 for Yarra’s neighbourhoods of:

- Abbotsford
- Burnley - Cremorne – South Richmond
- North Carlton - Princes Hill
- Clifton Hill
- Collingwood
- Fairfield – Alphington
- Fitzroy
- North Fitzroy
- North Richmond (north of Bridge Road)
- Central Richmond (between Swan Street and Bridge Road)
FIGURE 4. YARRA NEIGHBOURHOODS
Abbotsford

Abbotsford is a highly varied neighbourhood with a substantial number of industrial and commercial buildings of various types and eras. The residential precincts are surrounded by industrial development located in the vicinity of Hoddle Street and the Yarra River.

There is a large industrial precinct centred around Carlton United Beverages. Due to requirements under SEPP N-1 the viability of this industrial precinct has the potential of being undermined by new residential development located too close. The introduction of offices does not present a similar threat and would aid the development of underutilised land to the west of Victoria Crescent south of Gipps Street.

Similarly, east of Grosvenor Street there is an opportunity to develop underutilised sites along the Yarra River for commercial as well as residential development. So that residential development in this location does not bring CUB into non-compliance with SEPP N-1, any rezoning must be accompanied by a DDO which addresses noise.

Victoria Park is a major cultural and recreational asset of Yarra. Surrounding Victoria Park is a residential area which is Victorian in origin. To the south of Johnston Street residential areas consist of Victorian and Edwardian streetscapes with a substantial amount of weatherboard housing. These residential neighbourhoods have a consistent character which must be protected.

The Collingwood Children’s Farm and the Abbotsford Convent site comprise a regional arts and cultural destination. Care must be taken that future development of these facilities do not compromise the amenity of nearby residential areas.

Total population: 4,331 (2006 Census)
Total area: 179Ha
Total dwellings: 2,120 (2006 Census)
FIGURE 6. BUILT FORM CHARACTER MAP: ABBOTSFORD

1. Main Roads
   1. Maintain the hard urban edge of development along main roads.
   2. Reflect the fine grain of the subdivision pattern in building design where the roads along main roads.

2. Inner Suburban: Urban Residential Mix
   1. Maintain the existing pattern of front setbacks.
   2. Limit variation in height to a maximum of one storey compared to the adjacent properties, on single house lots, new development site in areas with generally consistent building heights.

3. Non-Residential areas
   1. Improve the quality of the environment and the interface of development with the street.

4. Current and Ex-Industrial River Edge
   1. Allow vegetation to dominate views from and across the river.

5. Inner Suburban Residential
   1. Maintain the existing pattern of front setbacks.
   2. Limit variation in height to a maximum of one storey compared to the adjacent properties, on single house lots, new development site in areas with generally consistent building heights.

6. Middle Street, Kent Road
   1. Maintain the hard edge on the eastern side of Middle Kent Road and improve the consistency of built form.

Heritage Overlay
1. Ensure that development does not adversely affect the significance of the heritage places.
Implementation of strategies

The implementation of **land use strategies** in clause 21.04 includes:

- Supporting the development of the Abbotsford Convent site as an arts and community precinct.
- Supporting the existing industrial precinct in the vicinity of Carlton and United Beverages.
- Supporting offices and associated uses in the area between Grosvenor Street and the Yarra River to the extent that would not adversely impact the regulatory compliance of existing industrial operations.
- Supporting rezonings of Industrial 1 and 3 land to permit a mix of offices and industry west of Victoria Crescent south of Gipps Street.
- Supporting a land contribution to open space in preference to a monetary contribution when residential subdivision occurs.

The implementation of **built form** strategies in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where covered by a Heritage Overlay, protects the heritage of the site and of the area, and where relevant, maintains and reinforces the identified built form character of the area:
  - Site 1 - 48 – 60 Nicholson Street (Former Denton Hat Mill).
  - Site 2 - 313 – 321 Victoria Street.
  - Site 3 - Railway Land adjacent to Victoria Park Station.
  - Site 4 - 627 Victoria Street (MFB site).
  - Site 5 - 601 Victoria Street.
  - Site 6 - 675 – 677 Victoria Street.
- Strengthening the consistency and character of the built form of:
  - land adjacent to Alexandra Parade
  - land adjacent to Hoddle Street
  - land around Victoria Park Station
- Softening the appearance of development on the north side of Victoria Street to the east of Walmer Street by including well-landscaped “corridors” between buildings.
- Maintaining the visual prominence of the Clock Tower of Collingwood Town Hall and the Skipping Girl Sign.

The implementation of **transport strategies** in clause 21.06 includes:

- Creating a pedestrian link between Marine Parade east and the extension of Clarke Street
- Completing the shared path link along the southern bank of the Yarra between Walmer Street and Gipps Street

Planning Scheme Response

- Apply the Victoria Street East Precinct policy at clause 22.11.

**Burnley, Cremorne, South Richmond**

The neighbourhood provides a range of residential opportunities:
- the Cremorne area has a truly mixed use character with Victorian cottages, apartments and warehouse conversions intermingled with commercial and industrial uses. This mix of uses is valued by the local community and must be fostered
- the established residential area surrounding Barkly Gardens provides a range of housing opportunities in small cottages and larger period dwellings
- the area east of Burnley Street includes the Golden Square residential area which comprises predominantly cottages of heritage significance.

This area includes the visually and historically significant silos which host the also significant Nylex Plastics clock and temperature indicator. Views of and to these Melbourne landmarks need to be protected.

This neighbourhood is largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Cremorne commercial area functions as an important metropolitan business cluster which must be fostered.

The Barkly industrial precinct, south of Swan Street and west of Burnley Street, has the opportunity to establish itself as a new business employment node. This should include a mix of industrial and related activities as well as service business and offices.

On the east side of the neighbourhood is an important open space and recreation area along the Yarra River, also the University of Melbourne Horticultural College and Botanica office park.

Along Church Street is an activity centre based on furniture and homewares, professional and business services and hospitality. There is an opportunity to enhance this activity centre with consistent active frontages.

The Swan Street major activity centre lies along the northern boundary of this neighbourhood. Within this major activity centre there are three recognisable precincts.

The Richmond Station precinct
Richmond Station is a nodal interchange and the largest station outside the City Loop. The precinct represents a major opportunity to improve the amenity of the area and encourage more local use of the Station.

Swan Street west
This precinct incorporates the core retail area of Swan Street and includes East Richmond Station. Swan Street, unlike the other major activity centres within Yarra, has a smaller pool of non-local visitors, reflecting its stronger orientation towards servicing the needs of local residents.

Swan Street east
This precinct begins at Mary Street in the west and extends to Loyola Grove. It includes Burnley Station. It comprises larger showrooms and offices, with a focus on furniture and renovation stores and building supply businesses.

| Total population: | 3,600 (2006 Census) |
| Total area: | 233Ha |
| Total dwellings: | 1,863 (2006 Census) |
FIGURE 8. BUILT FORM CHARACTER MAP: BURNLEY, CREMORNE, SOUTH RICHMOND

LEGEND

Tramway route
Subway

1 Main Roads
- Maintain the hard edge of the strip.

2 Inner Suburban - Urban Residential Area
- Maintain the existing pattern of front setbacks.
- Limit variations in height to a maximum of one storey compared to the adjacent properties, or single house sites/ small development sites in areas with generally consistent building heights.

3 Non Residential areas
- Improve the interface of development with the street.

4 Inner Suburban Residential
- Maintain the existing pattern of front setbacks.
- Limit variations in height to a maximum of one storey compared to the adjacent properties, or single house sites/ small development sites in areas with generally consistent building heights.

5 Foreshore River Edge
- Ensure that development does not dominate the river.

Heritage Overlay: All other areas
- Ensure that development does not adversely affect the significance of the heritage place.

0 400 800 m

Page 196 of 1212
Implementation of strategies
The implementation of land use strategies in clause 21.04 includes:

- Supporting the mixed use nature of development in the Cremorne area.
- Consolidating the restaurant function of the Swan Street major activity centre to the east of Church Street.
- Supporting offices and showrooms fronting Church Street south of Swan Street
- Supporting the Barkly Industrial Precinct as an area for industry, offices and service businesses.
- Supporting a monetary contribution in preference to land contribution in Cremorne, and a land contribution in preference to a monetary contribution in the remaining areas of this neighbourhood, for open space when residential subdivision occurs.

The implementation of built form strategies in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where subject to a Heritage Overlay, protects the heritage of the site and the area:
  - Site 1 - 33 – 45 Gibdon Street, Burnley.
  - Site 2 - 2 Gough Street, Cremorne (Burston Maltingssite).
- Creating a more active street frontage along Church Street.
- Strengthening and improving the built form of land adjacent to Punt Road
- Ensuring that development of land adjacent to the Yarra River downstream of Church Street does not dominate the River.
- Maintain the visual prominence of the Ball Tower of Dimmeys, the Nylex Sign, and Slade Knitwear Sign.

The implementation of transport strategies in clause 21.06 includes:

- Ensuring that the development of land around the railway stations enhances access to the East Richmond and Burnley stations and the amenity of the area.
- Creating a through block link to support a pedestrian and cycle link across Harcourt Parade to the Yarra River.

**North Carlton - Princes Hill**

This residential neighbourhood is noted for the consistency of its spacious brick or render late Victorian and Edwardian streetscapes and for its consistent residential character. Linear Park is a significant park in this neighbourhood. The area has excellent accessibility to tertiary institutions in central Melbourne. Little change is expected for this neighbourhood.

The Rathdowne Village neighbourhood activity centre is a mixed use centre with a convenience retailing and hospitality function with a local and regional focus. The centre has a strong complement of heritage buildings and attractive streetscaping and landscaping.

The Nicholson Village neighbourhood activity centre includes business and community facilities with convenience retailing, restaurants and cafes.

The strength of both centres lies in the character of the built form.

| Total population: | 8,200 (2006 Census) |
| Total area: | 140Ha |
| Total dwellings: | 4,068 (2006 Census) |
Implementation of strategies

The implementation of **land use strategies** in clause 21.04 includes:

- Supporting a mix of uses in existing commercial buildings along Rathdowne Street and Nicholson Street and in particular uses which provide the day to day needs of the local community.
- Not support use or development which prejudices the present function of the neighbourhood activity centres.
- Supporting a monetary contribution to open space in preference to land contribution when residential subdivision occurs.

The implementation of **built form strategies** in clause 21.05 includes:

- Supporting development that maintains the present scale of the neighbourhood activity centres.

The implementation of **environmental sustainability strategies** in clause 21.07 includes:

- Reinforcing and improving the environmental value of the Linear Park.
FIGURE 9. NEIGHBOURHOOD MAP: NORTH CARLTON / PRINCES HILL
FIGURE 10. BUILT FORM CHARACTER MAP: CARLTON NORTH/ PRINCES HILL

LEGEND

Tramway route

Inner Suburban Residential
1. Maintain the existing pattern of front setbacks.
2. Limit variations in height to a maximum of one storey compared to the adjacent properties, or single storey where small development sites are areas with generally consistent building heights.

Heritage Overlay
1. Ensure that development does not adversely affect the significance of the heritage place.
21.08-4
Clifton Hill

This largely residential neighbourhood has good public open space including the parklands associated with the Yarra River and Merri Creek to its east and Darling Gardens and Mayors Park located within the neighbourhood.

Clifton Hill has two neighbourhood activity centres.

The Spensely Street centre is a small convenience centre based around the intersection of Spensely and Berry streets. The centre has a village atmosphere and an attractive streetscape and landscaping. There is limited scope for more intense development of this centre.

The Queens Parade centre is a mixed use centre with strong convenience retailing. There is an opportunity to create stronger linkages between the community facilities to the east and the centre.

A small industrial/business precinct exists on the north side of Alexandra Parade between Smith Street and Wellington Street. The business focus of this precinct should remain, however flexibility should exist for residential development on the upper levels of buildings and on underutilised sites abutting residential properties.

| Total population: | 5,385 (2006 Census) |
| Total area:        | 169 Ha               |
| Total dwellings:   | 2,524 (2006 Census) |

**Implementation of strategies**

The implementation of land use strategies in clause 21.04 includes:

- Supporting rezoning of the precinct on the north side of Alexandra Parade between Smith Street and Wellington Street to Business 2 with a local policy to ensure the precinct retains a business focus.

- Supporting a monetary contribution to open space in preference to land contribution when residential subdivision occurs.

The implementation of built form strategies in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.

- Encouraging the redevelopment of the following sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where subject to a Heritage Overlay, protects the heritage of the site and of the area:
  - Site 1 94 Alexandra Parade, Clifton Hill (shot tower site)
  - Site 2 135 – 169 Noone Street (Australian Dyeing Company Precinct).
  - Site 3 Dummet Crescent.

- Strengthening the built form of land adjacent to Alexandra Parade

- Maintaining the visual prominence of the Spire of St Johns and the Shot Tower.

The implementation of transport strategies in clause 21.06 includes:

- Supporting Clifton Hill Station as a public transport node.
FIGURE 11. NEIGHBOURHOOD MAP: CLIFTON HILL

LEGEND

- Tramway route
- Railway
- Open space
- Improve on street pedestrian and cycle links to open space
- Strategic redevelopment sites
- Neighbourhood activity centre

Note: This map is indicative only.

Conservate and re-establish habitat along the Stirling Creek corridor

Support existing role of St. John's Church

Protect the landmark role of St. John's Church

Shoreline the built form of land adjacent to Alexandra Park

Protect the landmark role of school tower

Support Office Hill Station as a public transport node

Support renewal of Mixed Use Zone

Support renewing M/C Mixed Use Zone

Improve the environmental character of the Merri Creek perimeter and corridor
FIGURE 12. BUILT FORM CHARACTER MAP: CLIFTON HILL

Legend:
- Tramway route
- Railway
- Inner Suburban Residential
  1. Maintain the existing pattern of front setbacks.
  2. Limit variations in height to a maximum of one story compared to the adjacent properties, on single-family dwellings, limit development size in areas with generally consistent building heights.
- Low to Mid-Rise Residential
  1. Improve the interface of development with the street.
- Urban Residential
  1. Maintain existing pattern of front setbacks (zero front setback often includes ground floor vehicle access)
  2. Limit variations in height to a maximum of one story compared to the adjacent properties, on single-family dwellings, limit development size in areas with generally consistent building heights.
- Heritage District
  1. Ensure that development does not adversely affect the significance of the heritage place.
Collingwood

Much of Collingwood is industrial in character with the residential precincts surrounded by or interspersed with industrial buildings.

North of Johnston Street, the residential area is late Victorian and Edwardian retaining some of its original weatherboard cottage character. South of Johnston Street is a large area of public housing generally comprising large blocks of apartments set in grounds.

To the south of Johnston Street development is Victorian overlaid with subsequent periods of development. This part of Collingwood is varied in built form and character, ranging from large Victorian factory buildings to small pockets of low rise residential development. The most outstanding feature of the precinct is the Foy and Gibson complex of retail and warehouse buildings which belong to the suburb’s commercial past. The buildings have large dominating built forms with rhythmic facade design. They are imposing and visually cohesive.

The Smith Street major activity centre serves multiple roles for local residents whilst attracting visitors from a larger catchment. It is a classic main road strip generally consisting of buildings of two to four storeys interspersed with the occasional building of up to 6 storeys. The subdivision pattern is consistent, and the pattern of the streetscape is generally fine grain. Unlike many other Victorian shopping strips the street is also characterised by the variance in profile and design of buildings. It has a high proportion of individually significant heritage buildings, supported by contributory buildings from the Victorian-era and Edwardian-eras.

The Activity centre has developed a strong factory outlet focus including a sports retail focus, at the north of the centre between Johnston Street and Alexandra Parade. Between Johnston Street and Gertrude Street the centre provides much of the convenience retailing for the surrounding neighbourhoods. The area also hosts a variety of restaurants and cafes. The southern precinct, south of Gertrude Street is home to an array of galleries and clothing stores.

The Gipps Street industrial precinct is characterized by traditional manufacturing, service activities and a considerable portion of activity related to the textile, clothing and footwear sector. The precinct provides the opportunity for a wide range of small to medium businesses to operate in a location that is relatively unconstrained by sensitive uses. To allow flexibility for large sites which may have difficulty in finding new industrial tenants, rezoning to Business 3 will be supported. This will enable the area to retain an industrial character but evolve to provide a wider range of employment opportunities including service business and offices uses. Any change of use should consider opportunities for improvement to the public domain.

| Total population: | 5,500 (2006 Census) |
| Total area:       | 129Ha               |
| Total dwellings:  | 3,036 (2006 Census) |
FIGURE 14. BUILT FORM CHARACTER MAP: COLLINGWOOD

**Legend**

- Tramway route
- Railway
- Non-residential areas
  1. Improve the interface of development with the street.

**Middle Street - Port Road**

- Maintain the hard edge on the eastern side of Middle Street - Port Road and improve the consistency of front fans.

**Urban Residential**

- Maintain existing patterns of front setbacks (zero front setback often includes ground floor verandahs/waists).
- Limit variations in height to a measure of one storey compared to the adjacent properties, on single or double storey development sites in areas with generally consistent building heights.

**Public Housing Estates**

- Re-connect former public streets through the estate, where they have been closed.
- Re-develop public shared frontages with buildings that address the street, including loading front doors and mail boxes on the street frontage where possible.

**Ecology**

- Maintain the dominance of street trees and surrounding vegetation.

**Hinchen Overlay**

- Ensure that development does not adversely affect the significance of the heritage place.
Implementation of strategies

The implementation of **land use strategies** in clause 21.04 includes:

- Supporting the rezoning of the Gipps Street industrial precinct to the Business 3 Zone.
- Supporting the rezoning of the Bedford Street pocket to Business 2.
- Supporting opportunities for convenience and fresh food shopping.
- Supporting a land contribution to open space in preference to monetary contribution when residential subdivision occurs.

The implementation of **built form strategies** in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following sites in a way that contributes positively to the urban fabric and public domain of Yarra. Redevelopment should also protect the heritage of the site and of the area where subject to the Heritage Overlay and where relevant, maintain and reinforce the built form character of the area.
  - Site 1 - 132 – 170 Smith Street & 63-71 Little Oxford Street.
  - Site 2 - 106 Cambridge Street.
  - Site 3 - 113 Wellington Street (Police Workshop).
  - Site 4 - 1 - 21 Robert Street.
  - Site 5 - 59 Alexandra Parade.
  - Site 6 - Collingwood Housing Estate, block bounded by Hoddle, Vere, Wellington and Perry Streets.
  - Site 7 - 37 - 67 Islington Street
  - Site 8 - 105 – 133 Victoria Street (Porsche site)
  - Site 9 - 34 - 44 Stanley Street.
- Strengthening the built form of:
  - land adjacent to Alexandra Parade
  - land adjacent to Hoddle Street
  - Collingwood Housing Estate
- Maintain the visual prominence of the Olympic Tyre Sign/ Porsche on Victoria Parade.
- In the precinct bounded by Johnston Street, Wellington Street, Victoria Parade and Smith Street (including both sides of Smith Street depicted as the 'Smith Street Major Activity Centre' in the Built Form Character Map).
  - Maintaining the varied profile of the skyline and the built form character of Smith Street.
  - Ensuring that no new development presents as a dominating built form along Smith Street.
  - Retaining the prominence of the key ‘icon’ (landmark) buildings in the Smith Street streetscape such as Pattersons, Safeway, Post Office.
  - Maintaining the Foy and Gibson complex of buildings as a large dominating visually cohesive group of buildings.
  - Retaining the uniformity of the streetscapes associated with the Foy and Gibson buildings.
- Ensuring new development respects the scale of adjoining existing clusters of low rise residential development.

The implementation of **transport strategies** in clause 21.06 includes:

- Improving pedestrian permeability and creating pedestrian through block links between Wellington Street and Smith Street.

**Fairfield-Alphington**

To the east of Yarra Bend Park is a green, leafy, residential area, comprising late Victorian, Edwardian and interwar dwellings. Dwellings have generous front and side setbacks and allotments are double fronted and deep allowing for large spacious gardens and substantial backyards. The neighbourhood also has a significant amount of open space. The Northern Metropolitan Institute of TAFE and the Victorian Institute of Forensic Mental Health lie within the parkland.

The Heidelberg Road neighbourhood activity centre is on the boundary between the Cities of Yarra and Darebin. It is a small convenience centre, with limited furniture and home wares outlets and a small amount of office space.

<table>
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<th>Metric</th>
<th>Value</th>
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<td>Total area:</td>
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<tr>
<td>Total dwellings:</td>
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**Implementation of strategies**

The implementation of **land use strategies** in clause 21.04 includes:

- Supporting opportunities for convenience shopping.
- Supporting a monetary contribution to open space in preference to land contribution when residential subdivision occurs.

The implementation of **built form strategies** in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where subject to the Heritage Overlay, protects the heritage of the site and of the area:
  - Site 1 - 626 Heidelberg Road (AMCOR).
  - Site 2 - 224 – 252 Heidelberg Road.
- Supporting the creation of a shared path along the Darebin Creek.
FIGURE 16. BUILT FORM CHARACTER MAP. FAIRFIELD/ALPHINGTON

**Legend**

1. **Main Roads**
   - Maintain the hard urban edge of development.
   - Reflect the fine grain of the subdivision pattern in building design where this exists along main roads.

2. **Non Residential Areas**
   - Improve interface of development with the street.

3. **Park Landscape River Edge**
   - Where the river bank actions an area of permanent, a grit course or landscaped grounds.
   - Maintain and strengthen the natural landscape of the river edge.

4. **Garden Subdivision Residential**
   - Maintain the existing pattern of front setbacks.
   - Revalue the garden character of the streetscapes.
   - Accommodate second storey extensions, or second storeys of new buildings, within an envelope that maintains the low horizontal format of existing dwellings.

5. **Heritage Overlay**
   - Ensure that development does not adversely affect the significance of the heritage places.

Scale: 1 cm = 400 m
21.08-7

Fitzroy

Fitzroy is a mixed commercial and residential neighbourhood notable for the consistency of its Victorian streetscapes. It comprises a dense combination of residential areas, shopping precincts and commercial/industrial activities.

Victoria Parade, an important boulevard with substantial office development and the St Vincent's Hospital precinct, is on the south side of this neighbourhood. The Brunswick Street and Smith Street major activity centres run northsouth through the middle, while the Johnston and Gertrude Streets neighbourhood activity centres run east west through the neighbourhood. The Smith Street centre borders on Collingwood and is discussed in clause 21.08-5.

The role of the Brunswick Street centre can be characterised as hospitality, entertainment, clothing and footwear, art galleries and studios, and non-government community services, all with a metropolitan focus.

The Gertrude Street centre has a number of eclectic and innovative retailers as well as heritage buildings which help to give the centre an individual and unique sense of place. Gertrude Street also has an arts focus which should be retained and fostered.

The part of Johnston Street between Brunswick Street and Smith Street is undergoing revitalisation as a focal point for furniture manufacture and showrooms. The Business 2 Zone is considered appropriate for this area as it will provide the opportunity to encourage restricted retail uses at ground level with residential or offices uses above.

| Total population:                  | 8,800 (2006 Census) |
| Total area:                        | 140Ha               |
| Total dwellings:                   | 4,274 (2006 Census) |
Implementation of strategies

The implementation of land use strategies in clause 21.04 includes:

- Encouraging restricted retail uses at ground level with offices and residential use above, along Johnston Street between Brunswick and Smith Streets.
- Requiring the preparation of a master plan for St Vincent's Hospital.
- Supporting a land contribution to open space in preference to monetary contribution where residential subdivision occurs.

The implementation of built form strategies in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra, and, where subject to the Heritage Overlay protects the heritage of the site and of the area:
  - Site 1 - 98 Nicholson Street.
  - Site 2 - 166 – 182 Gore Street.
  - Site 3 - Atherton Gardens Housing Estate, bounded by Brunswick, Gertrude, Condell and Napier Streets.
  - Site 4 - 300 Young Street Site bounded by Napier, Kerr, Young & Argyle Streets.
- Supporting the improvement to the built form of:
  - land adjacent to Alexandra Parade
  - Atherton Gardens Housing Estate
- Maintaining the visual prominence of the Fitzroy Town Hall and Spire of St Marks.
- Supporting the existing scale and character of the Brunswick Street and Gertrude Street activity centres.

The implementation of transport strategies in clause 21.06 includes:

- Improving pedestrian links through the Atherton Gardens Estate.

North Fitzroy

North Fitzroy is known for the beautiful Edinburgh Gardens which combine open space, sportsgrounds, barbecue area, gardens with long-established European elm trees, skate bowl, tennis and basketball courts, bandstand, bowling greens and bocce links, remnants of the old Melbourne rail loop, and a heritage listed grandstand.

The neighbourhood is largely residential. The northern part of North Fitzroy has a low density residential character consisting of late Victorian and early Edwardian double fronted dwellings. Further south dwellings are more likely to be single fronted and one or two storeys.

Linear Park which is a significant park in this neighbourhood, would benefit from casual surveillance from new development.

The North Fitzroy Village neighbourhood activity centre is a mixed use centre with strong convenience retailing located on St Georges Road. Further north along St Georges Road is the North Fitzroy neighbourhood activity centre. This centre provides a number of specialist business services. Linkages between the two parts of the centre should be improved.

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<thead>
<tr>
<th>Total population:</th>
<th>10,200 (2006 Census)</th>
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<tbody>
<tr>
<td>Total area:</td>
<td>231Ha</td>
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<tr>
<td>Total dwellings:</td>
<td>5,030 (2006 Census)</td>
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</table>
Implementation of strategies

The implementation of **land use strategies** in Clause 21.04 includes:

- Supporting a land contribution to open space in preference to monetary contribution when residential subdivision occurs.

The implementation of **built form strategies** in Clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where subject to the Heritage Overlay, protects the heritage of the site and of the area:
  - Site 1 - 818 Nicholson Street.
  - Site 2 - Lot 8 Railway Street (Railway Street Aged Care).
  - Site 3 - Former Gas & Fuel site and Yarra Council Depot site, bounded by Alexandra and Queens Parade and Smith & George Streets.
  - Site 4 - 26 – 56 Queens Parade.
  - Site 5 - 500 Brunswick Street.
  - Site 6 - 9 - 49 Scotchmer Street (Ventura National Bus Company site).
- Encouraging improved public domain and built form of land adjacent to Alexandra Parade.
- Encouraging new development to provide casual surveillance of the old railway line linear park

The implementation of **transport strategies** in clause 21.06 includes:

- Completing the shared path link along the Merri Creek.
- Improving linkages between the two sections of the North Fitzroy neighbourhood activity centre.
FIGURE 20. BUILT FORM CHARACTER MAP: FITZROY NORTH

LEGEND

- Railway route
- Tramway route
- Inner Suburban Residential
  - Maintain the existing pattern of small setbacks.
  - Limit variations in height to a maximum of one storey compared to the adjacent properties, or single houses in small development lots in areas with generally consistent building heights.
- Non-Residential areas
  - Improve the interface of development with the street.
- Urban Residential
  - Maintain existing pattern of small setbacks (two storeys and often includes ground floor amenities) and small development lots in areas with generally consistent building heights. (note: some heritage overlay site(s) in area(s) with generally consistent building heights.)
- Heritage Overlay
  - Ensure that development does not adversely affect the significance of the heritage place.
North Richmond (area north of Bridge Road)

This part of Richmond is largely residential and Victorian and Edwardian in its origins. The consistent character of the residential areas must be protected.

The Victoria Street Major Activity centre runs along the northern boundary of this neighbourhood. This activity centre spans approximately 2 kilometres and incorporates a variety of land uses along its length – some vibrant and others more dormant in terms of activity and street frontage. Within the centre are three precincts:

**Victoria Street West**

This precinct extends from Hoddle Street to Church Street. Asian cuisine, footpath trading and remnant industrial /warehouse areas dominate this vibrant area. The heart of the precinct is between Shelley and Church Streets and is characterised by a wide array of restaurants, bakeries, grocers, fishmongers, butchers, cafes, electrical and bric-a-brac shops.

**Victoria Street link**

This precinct spans the area between Church Street and Grosvenor Street. This linking area includes residential and commercial development and a wide range of land uses. New development in this part of the precinct must include active frontages.

**Victoria Street East**

This precinct incorporates the area between Grosvenor Street in the west and the Yarra River to the east. It includes a combination of retail, bulky goods, entertainment, residential and office land uses. The centre has a key interface with the Yarra River, which defines its northern and eastern boundaries. Significant parts of this precinct have recently undergone extensive redevelopment. With a number of key sites in the area still up for redevelopment, it will continue to evolve. New development must enhance the landscape qualities of the Yarra River and include active frontages on Victoria Street and the River. The Victoria Gardens development has the capacity to incorporate further residential development.

To the east of Burnley Street is an area of mixed industrial character with a pocket of low rise residential development. Given the proximity of this area to Victoria Gardens and the limited demand envisaged for the reuse of large industrial sites, there is potential for a wider range of employment uses including offices to locate in this precinct. It is important to:

- Protect the pocket of Residential 1 zoned land.
- Provide land use close to the Victoria Gardens Activity Centre that supports the role of the centre i.e. residential plus mixed uses.
- Continue to retain industry but allow office development further south and east of the Residential 1 and Mixed Use areas.

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<th>Total population:</th>
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<td>192 Ha</td>
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<tr>
<td>Total dwellings:</td>
<td>5,026 (2006 Census)</td>
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</table>
YARRA PLANNING SCHEME

FIGURE 22. BUILT FORM CHARACTER MAP: NORTH RICHMOND

LEGEND

Tramway route
Railway

1. Main Fringe
   1. Maintain the hard edge of the street.

2. Inner Suburbs, Urban Residential Mix
   1. Maintain the existing pattern of front setbacks.
   2. Limit variations in height to a maximum of one storey
      compared to the adjacent properties, as single storey
      small development sites in areas with generally
      consistent building heights.

3. Next Residential areas
   1. Improve the interface of development with the street.

4. Current and Ex-Industrial River Edge
   1. Allow vegetation to dominate views from and across the
      river.

5. Inner Suburban Residential
   1. Maintain the existing pattern of front setbacks.
   2. Limit variations in height to a maximum of one storey
      compared to the adjacent properties, as single storey
      small development sites in areas with generally
      consistent building heights.

6. Middle Street-Punt Road
   1. Maintain the hard edge on the eastern side of Middle Street-
      Punt Road and improve the consistency of built forms.

10. Public Housing Estates
    1. Re-connect former public streets through the estate where
        they have been closed.
    2. Redesign public street footages with buildings that
        address the street, including locating front doors and
        mail boxes on the street frontage where possible.

Heritage Overlay
1. Ensure that development does not adversely affect
   the significance of the heritage place.
Implementation of strategies

The implementation of **land use strategies** in clause 21.04 includes:

- Supporting a change of use to residential plus mixed uses in the industrial area abutting the southern boundary of Victoria Gardens.
- Supporting industry and new office development in the industrial area, generally south of Appleton Street.
- Protecting the neighbourhood character and residential amenity of the existing Residential 1 areas to the south and west of Victoria Gardens.
- Supporting residential and office growth on the Victoria Street Gardens site.
- Encouraging a mix of commercial uses at ground level along Victoria Street (east of Grosvenor Street).
- Supporting the creation of a civic and cultural node around the Richmond Town Hall.
- Supporting a land contribution to open space in preference to monetary contribution when residential subdivision occurs.

The implementation of **built form strategies** in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where within an identified built form character precinct, it respects the built form character of the area:
  - Site 1 - 1 Palmer Street (Jaques).
  - Site 2 - 4 Griffiths Street (Former State School site).
  - Site 3 - Richmond Housing Estate, block bounded by Highett, Elizabeth, Lennox and Church Streets.
  - Site 4 - 43 – 67 River Street.
- Supporting and enhancing the traditional scale of Victoria Street.
- Ensuring the improved built form of:
  - land adjacent to Hoddle Street
  - land adjacent to Church Street
- Maintaining the landmark role of Richmond Town Hall.
- Requiring the preparation of a masterplan for the Epworth Hospital.

The implementation of **transport strategies** in clause 21.06 includes:

- Linking the eastern part of the Victoria Street Major Activity Centre with the open space along the Yarra River.
- Creating a fine-grained network of pedestrian-friendly streets east of Burnley Street and north of Doonside Street.
- Creating or upgrading pedestrian links:
  - from Victoria Street to the Richmond Housing Estate
  - through the Richmond Housing Estate
  - from Palmer Street to Citizens Park
  - from Victoria Street to Citizens Park
Planning Scheme Response

- Apply the Victoria Street East Precinct policy at clause 22.11

Central Richmond (area between Bridge Road and Swan Street)

The land use character of this neighbourhood is predominantly residential, with the area closest to Punt Road comprising early to mid-Victorian cottages and terraces, and an increasing amount of Edwardian dwellings towards the east of the neighbourhood.

The Bridge Road major activity centre is an important regional centre. It can be split into three distinct precincts:

- Bridge Road West, from Punt Road to Church Street, encompasses a variety of retail outlets, with an emphasis on fashion, clothing and footwear. The precinct includes the Epworth Hospital and associated health services.
- Church Street to Coppin Street is diverse in its array of land uses with cafes, bars and restaurants dominating the south side and the Town Hall dominating the north side. This part of the centre does not have a consistent built form.
- Bridge Road East has a strong home wares focus particularly on the north side. This part of the centre also does not have a consistent built form.

<table>
<thead>
<tr>
<th>Total population:</th>
<th>10,760 (2006 Census)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total area:</td>
<td>196Ha</td>
</tr>
<tr>
<td>Total dwellings:</td>
<td>5,773 (2006 Census)</td>
</tr>
</tbody>
</table>

Implementation of strategies

The implementation of land use strategies in clause 21.04 includes:

- Supporting a land contribution to open space in preference to monetary contribution when residential subdivision occurs.

The implementation of built form strategies in clause 21.05 includes:

- Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
- Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra and supports the built form character of the area:
  - Site 1 - 2 – 6 Lord Street
  - Site 2 - 203 – 205 Burnley Street
  - Site 3 - 59 Stawell Street (Former Cussons site)
  - Site 4 - 12 Glasshouse Street (Kennards site)
  - Site 5 - 47 - 65 Coppin Street, 63 - 67 Abinger Street and 81 Lord Street
  - Site 6 - 26 – 52 Bendigo Street and 171 Stawell Street (Former Channel Nine Site)
- Ensuring new residential development includes the provision of ample private open space.
- Improve the built form of:
  - land adjacent to Punt Road
  - land around Richmond Station
- Reinforcing the continuity of built form along Bridge Road, east of Church Street
- Maintaining the visual prominence of the Pelaco sign and the Spire of St Ignatius Cathedral
FIGURE 23. NEIGHBOURHOOD MAP: CENTRAL RICHMOND

Legend:
- ----- Tramway route
- Railway
- Open space
- Off-road pedestrian/cycle link
- Improve on street pedestrian and cycle links to open space
- Strategic redevelopment sites
- Major activity centres

Note: This map is indicative only.
MONITORING AND REVIEW

A program of monitoring of key issues has been developed as part of the continuous improvement and ongoing three year reviews of the planning scheme. The monitoring program identifies key issues that Council wishes to monitor, measurements of success (indicators) and what Council aims to achieve (targets). The results of the monitoring program will be used to inform the review of the Municipal Strategic Statement (MSS).

Monitoring the Objectives of the Scheme

<table>
<thead>
<tr>
<th>Issue</th>
<th>Indicator</th>
<th>Target</th>
<th>source</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land use</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential development</td>
<td>Increase in population numbers. Percentage of new dwellings on strategic redevelopment sites.</td>
<td>1.02% increase per annum until 2016</td>
<td>Australian Bureau of Statistics (ABS)</td>
</tr>
<tr>
<td>Housing diversity</td>
<td>Number of one, two, three + bedroom dwellings.</td>
<td>Housing diversity</td>
<td>ABS</td>
</tr>
<tr>
<td>Housing affordability</td>
<td>Increase in number of dwellings managed by social housing providers including Office of Housing</td>
<td>Affordable housing options</td>
<td>Council data</td>
</tr>
<tr>
<td>Employment</td>
<td>Number of local jobs.</td>
<td>No decrease in employment opportunities</td>
<td>ABS</td>
</tr>
<tr>
<td><strong>Built form</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heritage</td>
<td>Number of demolitions of contributory dwellings within heritage areas.</td>
<td>No loss of contributory buildings</td>
<td>Council data</td>
</tr>
<tr>
<td><strong>Open Space</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in area of Public Open Space</td>
<td>Total area (Ha.) of Public Open Space in the municipality</td>
<td>Increase in Public Open Space</td>
<td>Council data</td>
</tr>
</tbody>
</table>
FUTURE WORK

To further assist in meeting the objectives, strategies and Local Area Implementation Strategies in this MSS, the following matters are listed as potential future work items, and will be considered as part of future Council corporate and business planning processes.

Land Use and Community

Prepare a local housing strategy to take account of the directions contained within the Inner Metropolitan Regional Housing Statement. This will include further consideration of longer term housing needs and trends, including the provision of affordable and social housing.

Finalise structure plans for all Major Activity Centres, and key redevelopment areas, to guide future development. Include provisions in the planning scheme as necessary.

Prepare a policy to guide discretion in Business 2 Zones to ensure the office and commercial focus of these areas is maintained.

Prepare a social impact assessment policy to ensure the needs of new populations and the impacts on existing populations are addressed where there is significant residential development.

Prepare planning scheme provisions to ensure new residential development contributes equitably to the provision of open space.

Prepare urban design framework plans to determine the need for new public infrastructure in areas which have the potential to be rezoned to a higher order use. Investigate the application of an appropriate contributions system.

Investigate the application of an appropriate contributions system for areas that are forecast to experience significant rates of residential development.

Investigate the need or desirability of DDO5 to address SEPP N-1 compliance in zones adjacent to the industrial core that allow dwellings.

Investigate whether the findings of the Inner City Entertainment Precincts Taskforce “A Good Night for All” should be incorporated into the planning scheme as a future planning scheme amendment.

Investigate the need to incorporate safety in design in the Yarra Planning Scheme.

Built Form

In order to protect the Yarra River from inappropriate development, further controls should be developed for the Fairfield / Alphington area.

Prepare an urban design framework plan for the Richmond Town Hall precinct.

Prepare an Urban Design Strategy and review any implications for the policies and controls within the Yarra planning scheme.

Revise Clause 22.02 Development guidelines for sites subject to the heritage overlay, to give clearer guidance on heritage buildings and streetscapes.

Investigate heritage protection for themes, such as trees and landscapes, and areas that are currently not subject to protection including scattered pockets in the Richmond and Alphington areas.

Prepare a Heritage Strategy to provide a framework that co-ordinates future actions and programs regarding heritage, including the protection of aboriginal cultural heritage, within the municipality.

Prepare an integrated urban design framework for Cremorne and where necessary incorporate its recommendations into the planning scheme.

Investigate height controls for Neighbourhood Activity Centres.

Investigate the incorporation of additional statements and strategies in the Planning Scheme which address the world heritage significance of the Royal Exhibition Building, including its site context, iconic views, and which ensure its ongoing protection.
Review the specification of clause 55 controls in areas zoned for Mixed Use, and investigate the appropriateness of their inclusion in the Schedule to the Mixed Use Zone.

Prepare design objectives on building heights and other built form outcomes for strategic redevelopment sites.

**Transport and Communications**

Investigate parking provision rates to encourage a more critical appraisal of choice in transport modes.

**Environmental sustainability**

Develop ecologically sustainable design principles for new development and incorporate these into planning policy.

Develop and integrate appropriate storm water performance standards relevant to the City of Yarra as a highly urbanised area into the planning scheme.
REFERENCE DOCUMENTS

General
Inner Melbourne Action Plan (October 2005).
Yarra City Council Access and Inclusion Policy (November 2004)
City of Yarra Access and Inclusion strategy 2004-2009
Disability Action Plan 2001—2004

Land Use
Yarra Residential Interface Study 2001 (City of Yarra, 2001)

Accommodation and housing
Inner Regional Housing Statement (January 2006)
Retail, entertainment and the arts
Yarra City Council Arts and Cultural Plan, 2005-2009
Inner City Entertainment Precincts Taskforce “A Good Night for All”

Industry, office and commercial
Yarra Economic Development Strategy 2001-2004

Parks, gardens and public open space
Yarra City Council Recreation Strategy Plan 2003/2008

Built Form

Heritage
Swan Street Built Form Study Heritage Assessments & Analysis, October 2017 (GJM Heritage)
Yarra High Streets: Statements of Significance, October 2017 (GJM Heritage)
Heritage Citation: 112-124 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.
Heritage Citation: 20-60 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.
City of Yarra Heritage Gaps Study – Smith Street South, Anthemion Consultancies 2014.
City of Yarra Heritage Gaps Stage Two, Graeme Butler and Associates 2009.
City of Yarra Heritage Gaps Stage One, Graeme Butler and Associates 2008.
City of Yarra Heritage Gaps Review One 2013 [Appendix A and B includes Statements of Significance] Incorporated Plan under the provisions of clause 43.01 Heritage Overlay - methodology report, Lovell Chen 2014.
City of Yarra Heritage Gaps Review Two 2013.
City of Yarra Heritage Gaps Study – 233-251 Victoria Street, Abbotsford, Anthemion Consultancies 2012.
World Heritage Environ Area Strategy Plan: Royal Exhibition Building and Carlton Gardens, Department of Planning and Community Development 2009.
City of Yarra Review of Heritage Overlay Areas [Appendix 7 includes Statements of Significance], Graeme Butler and Associates 2007 updated 2013.
Development Guidelines for Heritage Places (City of Yarra, 1999).
The Burra Charter: Australian ICOMOS Charter for the Conservation of Places of Cultural Significance, as updated from time to time.

**Built form character**

Urban Design Guidelines for the Yarra River Corridor (City of Yarra, 1998), as amended April 2004

City of Yarra Built Form Review 2003

**Transport**

Yarra Strategic Transport Statement City of Yarra 2006

Encouraging and increasing walking strategy, City of Yarra 2005

**Environmental Sustainability**

The Yarra Environment Strategy: Our Sustainable Future (City of Yarra, November 2000).


Middle Yarra Concept Plan (Dept. of Planning and Urban Growth, Dept. of Conservation and Environment, 1990)

Lower Yarra (Punt Road to Dights Falls) Concept Plan (Ministry for Planning and Environment, 1986)

Lower Darebin Creek Concept Plan (Darebin Creek Co-ordinating Committee, 1995)

Merri Creek Management Plan (Merri Creek Management Committee, 1997)

Merri Creek Concept Plan (Draft) (Merri Creek Management Committee, 1997)

Yarra River Corridor Strategy (City of Yarra, 1999)

Yarra Catchment Action Plan (YarraCare, 1996)
Port Phillip and Western Port Regional Catchment Strategy 2004 – 2009 (Port Phillip and Westernport Catchment Management Authority 2004)

Herring Island Enhancement Plan (Acer Wargon Chapman and EDAW Aust, 1995)

Environmental Guidelines for Major Construction Sites (Environment Protection Authority, 1996)

Yarra Bend Park Strategy Plan (Parks Victoria, 1998)

Yarra Bend Park Environmental Action Plan (Parks Victoria, April 2000)

Yarra Bend / Fairfield Area: Development Opportunities (Chris Dance Land Design and Fulcrum Town Planners, 1997)

City of Yarra Stormwater Management Plan (AWT, December 2000)

Neighbourhood Plans

Smith / Wellington Streets Mixed Use Precinct Urban Design Framework, March 2005

Victoria Street Activity Precinct Urban Design Framework, July 2004;

Victoria Street East Precinct, Richmond, Urban Design Framework prepared for the City of Yarra 16 November 2005 (mgs in association with Jones and Whitehead Pty Ltd)

Structure Plans and Local Area Plans

Johnston Street Local Area Plan, 2015
22.01

DISCRETIONARY USES IN THE RESIDENTIAL 1 ZONE

This policy applies to land in the Residential 1 Zone.

Policy Basis

The Residential 1 Zone provides for a wide range of non-residential uses subject to the grant of a permit. Non-residential uses in this zone have the potential to adversely affect the amenity of the residential areas. This policy provides guidance on the performance standards to be met by such non-residential uses.

Objective

To ensure that residential amenity is not adversely affected by non-residential uses.

Policy

It is policy that:

- Existing buildings constructed for non-residential purposes are the preferred location for non-residential uses.
- Food and drink premises, places of assembly, places of worship and plant nurseries should have access to and adjoin a road in a Road Zone.
- Except on land adjoining and gaining direct access from a road in a Road Zone:
  - all required car parking should be on-site.
  - the scale of the proposed use should be compatible with providing service to the local residential community.
- Hours of operation should be limited to 8am to 8pm except for convenience shop.
- New buildings and works should be consistent with the scale, bulk and character of the area.
- Noise emissions should be compatible with a residential environment.
DEVELOPMENT GUIDELINES FOR SITES SUBJECT TO THE HERITAGE OVERLAY

This policy applies to all land within a Heritage Overlay.

Policy Basis

The MSS highlights the importance of heritage to the identity and character of the municipality and one of its objectives is to protect and enhance the City’s heritage places.

This policy provides guidance for the protection and enhancement of the City’s identified places of cultural and natural heritage significance.

Definitions of Words used in this Policy

- Adaptation: modifying a place to suit the existing use or a proposed use.
- Architectural integrity: the quality of closely reflecting the architecture of the period in which a building was created.
- Conservation: the process of looking after a place so as to retain its cultural significance.
- Cultural significance: aesthetic, historic, scientific, social or spiritual value for past, present or future generations.
- Fabric: all the physical material of the place including components and fixtures, and can include building interiors.
- Heritage place: anything subject to the Heritage Overlay and can include a site, area, land, landscape, tree, building or other work, or group of buildings of heritage significance, and may include components or spaces. When used in the context of a building graded individually significant, the heritage place is initially the individually significant building and then the broader heritage area. When used in the context of a contributory building, the heritage place is the broader heritage area.
- Maintenance: the continuous protective care of the fabric and setting of a place. It is distinguished from repair which involves restoration and reconstruction.
- Preservation: maintaining the fabric of a place in its existing state and retarding deterioration.
- Reconstruction: returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.
- Restoration: returning the existing fabric of a place to a known earlier state and is distinguished from reconstruction by no introduction of new material into the fabric (note a permit is only required for 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).

Levels of Significance

Every building of cultural significance has been assessed and graded according to its heritage contribution. The levels of significance used are:

- Individually significant: The place is a heritage place in its own right. Within a Heritage Overlay applying to an area each individually significant place is also Contributory.
- Contributory: The place is a contributory element within a larger heritage place. A contributory element could include a building, building groups and works, as well as building or landscape parts such as chimneys, verandahs, wall openings, rooflines and paving.
- Not contributory: The place is not individually significant and not contributory within the heritage place.
The level of significance of every building is identified in the incorporated document, *City of Yarra Review of Heritage Overlay Areas 2007 Appendix 8* (as updated from time to time). Details of methodology used to determine levels of significance can be found in *City of Yarra Review of Heritage Overlay Areas 2007* (Graeme Butler and Associates), *City of Yarra Heritage Gaps Review Two 2013*, *City of Yarra Heritage Gaps Study July, 2014 – Smith Street South (Anthemion)*, and *Heritage Gap Study: Review of Central Richmond, Stage 2 Final Report, November 2014*.

### Objectives

To conserve Yarra’s natural and cultural heritage.

To conserve the historic fabric and maintain the integrity of places of cultural heritage significance.

To retain significant view lines to, and vistas of, heritage places.

To preserve the scale and pattern of streetscapes in heritage places.

To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places.

To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.

To ensure that additions and new works to a heritage place respect the significance of the place.

To encourage the retention of ‘individually significant’ and ‘contributory’ heritage places.

To protect archaeological sites of cultural heritage significance.

### Policy

It is policy to:

#### Demolition

**Full Demolition or Removal of a Building**

Generally encourage the retention of a building in a heritage place, unless

- The building is identified as being not contributory.

- The building is identified as a contributory building, and
  - new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, *City of Yarra Review of Heritage Areas 2007 Appendix 8* (as updated from time to time) and
  - the building does not form part of a group of similar buildings.

*Note: The poor condition of a heritage place should not, in itself, be a reason for permitting demolition.*

Encourage the retention of original street furniture and bluestone road or laneway materials and details (where relevant).

An application for demolition is to be accompanied by an application for new development.

**Removal of Part of a Heritage Place or Contributory Elements**

Encourage the removal of inappropriate alterations, additions and works that detract from the cultural significance of the place.

Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless:

- That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s).
For a contributory building:
- that part is not visible from the street frontage (other than a laneway), abutting park or public open space, and the main building form including roof form is maintained; or
- the removal of the part would not adversely affect the contribution of the building to the heritage place.

For individually significant building or works, it can be demonstrated that the removal of part of the building or works does not negatively affect the significance of the place.

22.02-5.2 Original Location

Encourage the retention of a heritage place or a contributory element to a heritage place in its original location unless:
- The location is not an important component of the cultural significance of the heritage place.
- It can be shown that the relocation is the only reasonable means of ensuring the survival of the heritage place.

22.02-5.3 Reconstruction and Restoration

Encourage restoration of a heritage place or contributory element if evidence exists to support its accuracy.

Encourage the reconstruction of a building or works which previously existed in a heritage place if:
- The reconstruction will enhance the heritage significance of the heritage place
- Evidence exists to support the accuracy of the reconstruction.

Encourage the reconstruction of original or contributory elements where they have been removed. These elements include, but are not limited to, chimneys, fences, verandahs, roofs and roof elements, wall openings and fitting (including windows and doors), shopfronts and other architectural details and features.

22.02-5.4 Painting and Surface Treatments

Encourage the removal of paint from originally unpainted masonry surfaces.
Encourage the retention of historic painted signs.
Discourage the sand blasting of render, masonry or timber surfaces; and the painting of unpainted surfaces.

Encourage paint colours to be consistent with the period of the heritage place.

22.02-5.5 Culturally Significant Trees

Encourage the retention of culturally significant trees in a heritage place unless:
- The trees are to be removed as part of a maintenance program to manage loss of trees due to deterioration caused by old age or disease.
- The trees are causing structural damage to an existing structure and remedial measures (such as root barriers and pruning) cannot be implemented.

Ensure additions and new works respect culturally significant trees (and where possible, significant garden layouts) by siting proposed new development at a distance that ensures the ongoing health of the tree.
22.02-5.6 **Subdivision**

Support the subdivision of sites which do not detract from the heritage value of the place or contributory element.

Where appropriate, use a building envelope plan to protect the heritage values of the place. The building envelope plans should:

- Reflect the original rhythm of the streetscape.
- Allow sufficient space surrounding the heritage place or contributory element to a heritage place to retain its significance or contribution.

22.02-5.7 **New Development, Alterations or Additions**

22.02-5.7.1 **General**

Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:

- Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.
- Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.
- Be visually recessive and not dominate the heritage place.
- Be distinguishable from the original historic fabric.
- Not remove, cover, damage or change original historic fabric.
- Not obscure views of principle façades.
- Consider the architectural integrity and context of the heritage place or contributory element.

Encourage setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback will apply.

Encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.

Minimise the visibility of new additions by:

- Locating ground level additions and any higher elements towards the rear of the site.
- Encouraging ground level additions to contributory buildings to be sited within the ‘envelope’ created by projected sight lines (see Figure 1)
- Encouraging upper level additions to heritage places to be sited within the ‘envelope’ created by projected sight lines (for Contributory buildings refer to Figure 2 and for Individually significant buildings refer to Figure 3).
- Encouraging additions to individually significant places to, as far as possible, be concealed by existing heritage fabric when viewed from the front street and to read as secondary elements when viewed from any other adjoining street.

Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies.
Figure 1 – acceptable areas for ground level additions are sited within the area created by drawing a 45 degree view line from the opposite footpath through the front corner of the subject building and the corners of adjacent buildings.

Figure 2 – appropriate areas for upper level additions to contributory buildings are sited within the ‘envelope’ created by projecting a sight line from 1.6 metres above ground level (eye level of average adult person) from the footpath on the opposite side of the street through the top of the front parapet or the ridge line of the principal roof form.
Figure 3 – Appropriate areas for upper level additions to individually significant buildings are sited within the ‘envelope’ created by projecting a sight line from 1.6 metres above ground level (eye level of average adult person) from the footpath on the opposite side of the street through the top of the front parapet or the gutter line of the principal roof form.

22.02-5.7.2 Specific Requirements (where there is a conflict or inconsistency between the general and specific requirements, the specific requirements prevail)

Corner Sites and Sites with Dual Frontages

Encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.

Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.

Residential Upper Storey Additions

Encourage new upper storey additions to residential heritage places or contributory elements to heritage places to:

- Preserve the existing roof line, chimney(s) and contributory architectural features that are essential components of the architectural character of the heritage place or contributory elements to the heritage place.
- Respect the scale and form of the heritage place or contributory elements in the heritage place by stepping down in height and setting back from the lower built forms.

Sightlines should be provided to indicate the ‘envelope’ from the street of proposed upper storey additions (refer to the sightline diagrams in 22.02-5.7.1).

Industrial, Commercial and Retail Heritage Place or Contributory Elements

Encourage new upper level additions and works to:

- Respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements. Each higher element should be set further back from lower heritage built forms.
- Incorporate treatments which make them less apparent.
Carports, Car Spaces, Garages, and Outbuildings

Encourage carports, car spaces, garages and outbuildings to be set back behind the front building line (excluding verandahs, porches, bay windows or similar projecting features) of the heritage place or contributory element or to be reasonably obscured. New works should be sited within the ‘envelope’ shown in Figure 1 of 22.02-5.7.1.

Discourage:

- new vehicle crossovers in streets with few or no crossovers
- high fencing, doors and boundary treatments associated with car parking that are unrelated to the historic character of the area
- new vehicle crossovers in excess of 3 metres wide in residential streets.

Front Fences and Gates

Encourage front fences and gates to be designed to

- allow views to heritage places or contributory elements from surrounding streets
- be a maximum of 1.2 metres high if solid or 1.5 metres high if more than 50% transparent (excluding fence posts)
- be consistent with the architectural period of the heritage place or contributory element to the heritage place.

Ancillaries and Services

Encourage ancillaries or services such as satellite dishes, shade canopies and sails, access ladders, air conditioning plants, wall and roof top mounted lighting, roof top gardens and their associated planting, water meters, and as far as practical aerials, to contributory or significant buildings, to be concealed when viewed from street frontage.

Where there is no reasonable alternative location, ancillaries and services which will reduce green house gas emissions or reduce water consumption, such as solar panels or water storage tanks, or provide universal access (such as wheel chair ramps), may be visible but should be sensitively designed.

Encourage ancillaries or services in new development to be concealed or incorporated into the design of the building.

Encourage ancillaries or services to be installed in a manner whereby they can be removed without damaging heritage fabric.

Archaeological Sites

Encourage applicants to consult with Heritage Victoria where any proposed buildings or works may affect archaeological relics to facilitate compliance with Part 6 of the Heritage Act 1995 (Protection of Archaeological Places).

Decision Guidelines

Before deciding on an application the responsible authority will consider:

- Whether there should be an archival recording of the original building or fabric on the site.
- The heritage significance of the place or element as cited in the relevant Statement of Significance or Building Citation.

References

Heritage Citation: 112-124 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.
Heritage Citation: 20-60 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.
City of Yarra Heritage Gaps Study – Smith Street South, Anthemion Consultancies 2014.
City of Yarra Heritage Gaps Stage Two, Graeme Butler and Associates 2009.
City of Yarra Heritage Gaps Stage One, Graeme Butler and Associates 2008.
City of Yarra Heritage Gaps Review One 2013 [Appendix A and B includes Statements of Significance] Incorporated Plan under the provisions of clause 43.01 Heritage Overlay - methodology report, Lovell Chen 2014.
City of Yarra Heritage Gaps Review Two 2013.
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City of Yarra Review of Heritage Overlay Areas [Appendix 7 includes Statements of Significance], Graeme Butler and Associates 2007 updated 2013.
The Burra Charter. Australian ICOMOS Charter for the Conservation of Places of Cultural Significance, as updated from time to time.
LANDMARKS AND TALL STRUCTURES

This policy applies to all development.

Policy Basis

The Municipal Strategic Statement (MSS) identifies the importance of landmarks and tall structures to the built form of the City. The MSS seeks to retain important landmarks and icons which contribute to the identity of the City and to maintain view lines to key landmark sites. This Policy responds to the MSS by identifying key valued landmarks.

Objectives

To maintain the prominence of Yarra's valued landmarks and landmark signs.

Policy

It is policy to:

- Maintain the prominence of Yarra's valued landmark signs.
- Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.
- Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.

Landmarks Design Response

New buildings within the vicinity of the following landmarks should be designed to ensure the landmarks remain as the principal built reference:

- Ball Tower of Dimmeys, Swan Street
- Clocktower of Richmond Town Hall
- Clocktower of Collingwood Town Hall
- Clocktower of Fitzroy Town Hall
- Shot tower, Alexandra Parade, Clifton Hill
- Spire of St Ignatius Cathedral, Church Street, Richmond
- Spire of St Marks Church, George Street, Fitzroy
- Spire of St Johns Church, Queens Parade, Clifton Hill

Development should protect the silhouette/profile of the church spire on the corner of Watkins Street and St Georges Road, North Fitzroy, seen from the intersection of Brunswick Street with Victoria Parade.

Development should protect the silhouette/profile of St Patrick’s Cathedral seen from the intersection of Brunswick Street with St Georges Road.

Development should protect the views to the drum, dome, lantern and flagpole of the World Heritage Listed Royal Exhibition Building seen from the footpath on the south side of Gertrude Street and along Marion Lane, west of Fitzroy Street.

Development should protect views to the following landmark signs:

- Pelaco Sign (Goodwood Street, Richmond)
- Skipping Girl Sign (Victoria Street, Abbotsford)
- Olympic Tyre Sign/Porsche (Victoria Parade, Collingwood)
- Nylex Sign (Harcourt Parade, Cremorne)
- Slade Knitwear Sign (Dover Street, Cremorne)

Reference Documents

City of Yarra Built Form Review 2003

World Heritage Environ Area Strategy Plan: Royal Exhibition Building and Carlton Gardens
(Department of Planning and Community Development, 2009)
ADVERTISING SIGNS POLICY

This Policy applies to all permit applications for advertising signs or for development which incorporates an advertising sign.

Policy Basis

Advertising signs are a component of the built environment and can play a positive role in the dissemination of information. Signage can enhance the visual amenity of an area, add vitality to activity centres and retail strips and provide economic advantages. However, excessive numbers of inappropriately located and designed signs can lead to visual clutter, a reduction in effectiveness, and generally detract from the character and amenity of an area.

Signage should be well designed and located to respect the streetscape or host site. The placement and quality of advertising signs should also contribute positively to the character of an area.

Objectives

- To allow for the promotion of goods and services.
- To ensure that signs contribute to and do not detract from the visual amenity of commercial precincts, activity centres and residential areas.
- To minimise visual clutter.
- To ensure that signs are not the dominant element in the streetscape.
- To protect and enhance the character and integrity of places of heritage significance.
- To protect major view corridors and vistas.
- To maintain vehicular and pedestrian safety.

Policy

It is policy that:

General

Design

- When considering an application for a new sign on a building that displays existing signage, the design and or number of signs will be assessed and where appropriate rationalised to prevent visual clutter.
- Signs must be designed and located to complement the character of the host building or site and the streetscape.
- Modelled signs, which enhance the shop front presentation, may be accepted above verandah level, provided the sign is in scale with the host building and the streetscape.
- Signs must have proportional relationships with their host building and other physical elements.
- Signs must be integrated into the design of the host building, and compatible with its composition, form, fenestration, material, finishes and colours.
- Signage, including design and colours, be planned as part of an integrated signage strategy, particularly for sites or buildings with more than one tenancy, for parks and for recreational facilities.
- Signs not be erected on the roof of a building or break a historic parapet or roofline.
- Signs not be erected perpendicular (at ninety degrees) to a structure or building above the first floor.
- Signs not be reflective.
- Views from all angles of the signage structure be considered.

22.04-3.2 Streetscape

- Signs not obscure important views or vistas.
- Advertising on street furniture, such as bus and tram shelters and telephone booths, be discouraged.
- Signs must not be erected on vacant sites or derelict buildings.
- Signs must not interfere with traffic signals, directional signs or street signs.

22.04-3.3 Major Promotional Signs and Pole Signs

- A major promotional sign should be located so that it is no higher than:
  - the height of a building or structure on the subject land; or
  - the height of a building or structure on adjoining land, when the sign is located on a blank façade of a building or structure located on the adjoining land.
- Pole signs are discouraged.
- Pole signs may be considered where:
  - The Pole sign is no higher than the height of buildings on the subject land or substantial adjacent structures on abutting or adjacent sites.
  - The Pole sign is on an open site and it is incorporated into the landscaping.

22.04-3.4 Construction and Support

- Maintenance access, structural supports, illumination and service cabling and electrical equipment, be concealed or integrated into the overall sign structure.
- Signs on a wall or fascia be applied directly to the wall or fascia or on a flush mounted panel.
- Where the building is of heritage significance, construction methods that do not permanently damage the original fabric be used.
- A minimum clearance of 2.7 metres should be provided between the footpath and the underside of a sign.
- Signs located below first floor level be setback at least 750mm from the kerb.

22.04-3.5 Illumination and Animation

- Signs be designed to prevent light spill onto adjacent properties.
- External illumination sources for signs be concealed where possible or otherwise sensitively designed and located to minimise impact on the surrounding area.
- Illumination not be a safety hazard or cause a nuisance to vehicular traffic.
- Animated signs be discouraged unless they achieve a high quality design and contribute to the vitality of the streetscape.
Specific Area Requirements

22.04-3.6 Residential Areas

- For non-residential uses, only under verandah signs and signs placed on the verandah fascia are encouraged.

22.04-3.7 Commercial and Industrial Areas

- Under verandah signs and signs placed on the verandah fascia are preferred.
- Above verandah signs and internally illuminated signs, may be considered where the general policy requirements are met.
- On main roads and boulevards major promotional signs, pole signs, sky signs, high wall signs, and signs mounted on bridge structures be considered where the general policy requirements are met.

22.04-3.8 Heritage Areas

- New high wall signs, major promotion signs, promotion signs, panel signs, pole signs, internally illuminated and animated signs, and sky signs are discouraged.
- Existing original heritage signs or advertising features should be conserved and enhanced.
- The number of signs should be limited.
- New signs should be small and restrained in design.
- Ensure that signs do not obscure the heritage features of the building.

References

Advertising Code (City of Yarra 1996)
INTERFACE USES POLICY

This policy applies to applications for use or development within:

- Mixed Use, Business and Industrial Zones
- a Residential 1 Zone where the subject site is within 30 metres of a Business or Industrial Zone
- a Residential 1 Zone where the subject site is within 30 metres of an existing business or industrial use.

Policy Basis

The policy supports the objectives of the MSS by protecting Yarra's diverse land use mix and built form, reducing conflict between commercial, industrial and residential activities, and supporting appropriate industrial and commercial activity.

While the mix of land use creates a diverse and interesting inner city character, it also may create conflict at the interface between the land uses. Issues of concern include:

- Noise
- Visual impact and appearance
- Overlooking
- Odour and air emissions
- Light spill
- Loading and unloading
- Rubbish removal and storage
- Construction noise

In order to maintain the viability of industrial and business areas there is a need to ensure that new residents do not have unrealistic expectations of the level of amenity that can be achieved. New dwellings must be constructed to protect residents as much as reasonably possible from the inherent conflicts. There is also a need to ensure that commercial and industrial activities are well managed having regard to their proximity to residential uses.

Objectives

- To enable the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes.
- To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

Policy

It is policy that:

- New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings.
- New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.
Guidelines

22.05-4.1 Dwelling Design

- New residential development located in Mixed Use, Business Zones, or in a Residential 1 Zone within 30 metres of a Business or Industrial Zone or 30 metres of an existing industrial or business use, is to be designed to:
  - Incorporate appropriate measures to protect the residents from unreasonable noise, fumes, vibration, light spillage and other likely disturbances.
  - Locate noise-sensitive rooms (in particular, bedrooms) and private open space away from existing and potential noise sources, and where appropriate incorporate other measures such as acoustic fencing, landscaping and setbacks.
  - Incorporate appropriate measures to minimise the effects of fumes or air emissions from nearby business or industrial operations upon those living in the dwellings, including through the orientation of windows and ventilation systems.
  - Minimise the potential for views from existing business or industrial premises to habitable room windows and private open space areas, through the use of appropriate siting, setbacks, articulation and screens.

22.05-4.2 Non-Residential Development Near Residential Properties

New non-residential development is to be designed to / so that:

- Minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, articulation and possibly screens.

- The location, length and height of any wall built to a boundary not adversely impact on the amenity of any adjoining residential properties in terms of unreasonable overshadowing of private open space, visual bulk or loss of day light to habitable room windows.

- Where private open space and/or windows to adjoining residential properties are unreasonably affected, appropriate setbacks from boundaries are to be provided to address loss of daylight, overshadowing and visual bulk impacts.

- Provide for a high level of acoustic protection to adjoining residential properties by:
  - Locating plant and other service infrastructure (including automatic garage doors) in discrete locations
  - Using masonry wall construction rather than, for example, curtain walling
  - Building in effective acoustic insulation.

- Minimise noise transmission within the building, including from machinery and ventilation systems, between floors or separate units and to adjoining residential properties.

- Minimise the opportunity for views from adjoining residential properties into the site, especially where the storage, preparation, business or industrial activity could present an unsightly appearance.

- Minimise the opportunity for light spill due to fixed or vehicular lights, outside the perimeter of the site and on to habitable room windows of nearby residential properties.
22.05-4.3 Commercial Waste

- Business and industrial use is to ensure that commercial waste (solid, gas and liquid) management practices, storage and disposal are carried out with a minimum of odour and noise disruption to nearby residential properties.

- A Waste Management Plan that includes details of proposed waste management practices, storage and disposal will be required where waste disposal, collection or storage may cause unreasonable detriment to the amenity of adjoining residential properties.

22.05-4.4 Construction Management

- All developments are to ensure that construction times, storage and disposal methods minimise disruption to nearby residential and business uses.

22.05-5 Application Requirements

Permit applications for residential development to include details of proposed acoustic attenuation design features or measures, and other design features to mitigate the potential noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.

An Acoustic Assessment Report is to be provided in circumstances where the Council determines the potential for noise disturbance to residents is present. The report should demonstrate that the residents will enjoy a reasonable level of acoustic amenity within the dwelling.

Permit applications for non-residential development within Mixed Use or Business zones and within Industrial zones within 30 metres of a Residential 1 or Mixed Use zone to include details of proposed methods to address potential noise, fumes and air emissions, light spillage, waste management and other operational matters that may cause negative impacts upon nearby residential properties.

22.05-6 Decision Guidelines

Before deciding on an application for residential development, Council will consider as appropriate:

- The extent to which the proposed dwellings may be subject to unreasonable noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.

- Whether the dwellings are designed or incorporate appropriate measures to minimise the impact of noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.

Before deciding on an application for non-residential development, Council will consider as appropriate:

- The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.

- Whether the buildings or uses are designed or incorporate appropriate measures to minimise the impact of unreasonable overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances on nearby residential properties.

22.05-7 Reference Documents

- Noise Control Guidelines, EPA Publication, 1992
- Interface Uses Policy – Planisphere 2005
CARETAKERS' HOUSES

This policy applies to land in Business 3, Industrial 1 and Industrial 3 zones.

Policy Basis

Council acknowledges the need for on-site caretakers in association with various industrial and commercial activities but is concerned that caretakers’ houses are, in some instances, being developed for general residential purposes.

Objective

To ensure that caretakers’ houses are genuinely associated with the industrial or commercial use to which they are attached.

Policy

It is policy that:

- The caretaker’s house be provided directly in association with and ancillary to approved commercial or industrial land use.
- The caretaker’s house be above ground level.
- The caretaker’s house be less than 10 per cent of total floor area of the associated commercial or industrial use (excluding car parking and loading bay areas) or 100m2, whichever is less.
- There be a demonstrated need for a caretaker to look after the commercial or industrial property when it is empty or to supervise its maintenance and cleaning.
DEVELOPMENT ABUTTING LANEWAYS

This policy applies to applications for development that is accessed from a laneway or has laneway abuttal.

Policy Basis

The Yarra Municipal Strategic Statement (MSS) identifies the need to retain existing laneways and enhance their amenity. It also states that, where appropriate, laneway access for vehicles is to be used in preference to street frontages to reduce vehicle crossovers.

Objectives

1. To provide an environment which has a feeling of safety for users of the laneway.
2. To ensure that development along a laneway acknowledges the unique character of the laneway.
3. To ensure that where development is accessed off a laneway, all services can be provided to the development.
4. To ensure that development along a laneway is provided with safe pedestrian and vehicular access.

Policy

It is policy that:

1. Where vehicular movement in the laneway is expected to cause a material traffic impact, a traffic impact assessment report be provided to demonstrate that the laneway can safely accommodate the increased traffic.
2. Where alternative street frontage is available, pedestrian access from the street be provided.
3. Pedestrian entries be separate from vehicle entries.
4. Pedestrian entries be well lit to foster a sense of safety and address to a development. Existing lights may need to be realigned, or have brackets or shields attached or additional lighting may be required.
5. Lighting be designed to avoid light spill into adjacent private open space and habitable rooms.
6. Vehicle access be provided to ensure ingress and egress does not require multiple vehicular movements.
7. Windows and balconies overlook laneways but do not unreasonably overlook private open space or habitable rooms on the opposite side of the laneway.
8. Development respect the scale of the surrounding built form
9. Development not obstruct existing access to other properties in the laneway.
10. Doors to car storage areas (garages) not protrude into the laneway.
11. The laneway not be used for refuse storage.
12. All laneway upgradings which provide improved access to the development be funded by the developer.
13. The laneway meet emergency services access requirements.

References

City of Yarra – Road Construction Materials Policy: April 2004
PROTECTION OF BIODIVERSITY

This policy applies to land covered by an ESO1, ESO2, and ESO3 Overlay.

Policy Basis

The incorporated map ‘Sites of Remnant Vegetation’ (Biosis 2001) shows the location of sites containing remnant vegetation in the City of Yarra.

Few areas of remnant vegetation remain in Yarra except those along the Yarra River and the northern waterways. A number of remnant indigenous plants within Yarra are considered to be of regional conservation significance, and areas of regional, high local, and local significant vegetation have been identified in the Natural Heritage Study undertaken by Biosis (2001). These areas of significant vegetation are under threat from development including by the invasion of pest plants.

Objectives

- To protect and enhance Yarra's natural biodiversity.
- To protect the long-term survival and viability of remnant vegetation.
- To ensure the survival of indigenous species.
- To minimise the impacts of introduced flora and fauna on indigenous vegetation.
- To manage sites to allow for the natural regeneration of indigenous vegetation.

Policy

It is policy that:

- Areas of remnant vegetation not be disturbed.
- The disturbance of non-remnant indigenous vegetation be minimised.
- A landscape plan be approved by Council before a development commences.
- Indigenous species, as identified in Table 1 or as certified (as being indigenous) by a qualified horticulturalist be used.
- Environmental weed species as identified in Table 2 not be used.

Table 1 Indigenous plants

<table>
<thead>
<tr>
<th>Species Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trees (over 6m)</td>
<td></td>
</tr>
<tr>
<td><em>Acacia dealbata</em></td>
<td>Silver Wattle *</td>
</tr>
<tr>
<td><em>Acacia implexa</em></td>
<td>Lightwood</td>
</tr>
<tr>
<td><em>A. mearnsii</em></td>
<td>Black Wattle</td>
</tr>
<tr>
<td><em>A. melanoxylon</em></td>
<td>Blackwood</td>
</tr>
<tr>
<td><em>Allocasuarina littoralis</em></td>
<td>River Sheoak</td>
</tr>
<tr>
<td><em>Allocasuarina verticillata</em></td>
<td>Drooping Sheoak</td>
</tr>
<tr>
<td><em>Eucalyptus camaldulensis</em></td>
<td>River Red Gum</td>
</tr>
<tr>
<td><em>E. leucoxylon ssp. connata</em></td>
<td>Yellow Gum</td>
</tr>
<tr>
<td><em>E. melliodora</em></td>
<td>Yellow Box</td>
</tr>
</tbody>
</table>

*These species are to be used.
<table>
<thead>
<tr>
<th>Common Name</th>
<th>Species Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swamp Gum</td>
<td><em>Eucalyptus ovata</em></td>
</tr>
<tr>
<td>Narrow-leaf Peppermint</td>
<td><em>Eucalyptus radiata</em></td>
</tr>
<tr>
<td>Manna Gum</td>
<td><em>Eucalyptus viminalis</em></td>
</tr>
<tr>
<td>Hedge Wattle</td>
<td><em>Acacia paradoxa</em></td>
</tr>
<tr>
<td>Golden Wattle</td>
<td><em>Acacia pycnantha</em></td>
</tr>
<tr>
<td>Silver Banksia</td>
<td><em>Banksia marginata</em></td>
</tr>
<tr>
<td>Sweet Bursaria</td>
<td><em>Bursaria spinosa</em></td>
</tr>
<tr>
<td>River Bottlebrush</td>
<td><em>Callistemon sieberi</em></td>
</tr>
<tr>
<td>Common Cassinia</td>
<td><em>Cassinia aculeata</em></td>
</tr>
<tr>
<td>Wedge-leaf Hop-bush</td>
<td><em>Dodonaea viscosa</em></td>
</tr>
<tr>
<td>Hemp Bush</td>
<td><em>Gynatrix pulchella</em></td>
</tr>
<tr>
<td>Tree Violet</td>
<td><em>Hymenanthera dentata</em></td>
</tr>
<tr>
<td>Woolly Tea Tree</td>
<td><em>Leptospermum lanigerum</em></td>
</tr>
<tr>
<td>River Tea Tree</td>
<td><em>Leptospermum obovatum</em></td>
</tr>
<tr>
<td>Swamp Paperbark</td>
<td><em>Melaleuca ericifolia</em></td>
</tr>
<tr>
<td>Sticky Boobialla</td>
<td><em>Mycoporum viscosum</em></td>
</tr>
<tr>
<td>Hazel Pomaderris</td>
<td><em>Pomaderris aspera</em></td>
</tr>
<tr>
<td>Gold Dust Wattle</td>
<td><em>Acacia acinacea</em></td>
</tr>
<tr>
<td>Rock Correa</td>
<td><em>Correa glabra</em></td>
</tr>
<tr>
<td>Grey Parrot Pea</td>
<td><em>Dillwynia cinerascens</em></td>
</tr>
<tr>
<td>Hop Goodenia</td>
<td><em>Goodenia ovata</em></td>
</tr>
<tr>
<td>Rosemary Grevillea</td>
<td><em>Grevillea rosmarinifolia</em></td>
</tr>
<tr>
<td>Twiggy Daisy Bush</td>
<td><em>Olearia ramulosa</em></td>
</tr>
<tr>
<td>Large-leaf Bush-pea</td>
<td><em>Pultanea daphnoides</em></td>
</tr>
<tr>
<td>Fragrant Saltbush</td>
<td><em>Rhagodia parabolica</em></td>
</tr>
<tr>
<td>Small-leaved Clematis</td>
<td><em>Clematis microphylla</em></td>
</tr>
<tr>
<td>Purple Coral Pea</td>
<td><em>Hardenbergia violacea</em></td>
</tr>
<tr>
<td>Grasses</td>
<td></td>
</tr>
</tbody>
</table>

YARRA PLANNING SCHEME
<table>
<thead>
<tr>
<th>Species Name</th>
<th>Common Name</th>
<th>*</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Agrostis avenacea</em></td>
<td>Common Blown-grass</td>
<td></td>
</tr>
<tr>
<td><em>Austrodanthonia caespitosa</em></td>
<td>Common Wallaby-grass</td>
<td></td>
</tr>
<tr>
<td><em>Dichelachne crinita</em></td>
<td>Long-hair Plume-grass</td>
<td></td>
</tr>
<tr>
<td><em>Elymus scabrus</em></td>
<td>Common Wheat-grass</td>
<td></td>
</tr>
<tr>
<td><em>Poa labillardieri</em></td>
<td>Common Tussock-grass</td>
<td></td>
</tr>
<tr>
<td><em>Poa morrisii</em></td>
<td>Velvet Tussock-grass</td>
<td></td>
</tr>
</tbody>
</table>

**Small Plants**

- *Brachyscome multifida*  
  Cut-leaf Daisy
- *Calocephalus citreus*  
  Lemon Beauty Heads
- *Chrysocephalum semipapposum*  
  Clustered Everlasting
- *Dianella longifolia*  
  Pale Flax-lily
- *Dianella revoluta*  
  Black-anther Flax-lily
- *Enchylaena tomentosa*  
  Ruby Saltbush
- *Lomandra filiformis*  
  Wattle Mat-rush
- *Lomandra longifolia*  
  Spiny-headed Mat-rush
- *Pimelea humilis*  
  Common Rice-flower
- *Teucrium corymbosum*  
  Forest Germander
- *Wahlenbergia communis*  
  Tufted Bluebell
- *Wahlenbergia luteola*  
  Yellowish Bluebell

**Reeds & Rushes for wetlands**

- *Carex appressa*  
  Tall Sedge
- *Eleocharis sphacelata*  
  Tall Spike-rush
- *Juncus caespiticus*  
  Grassy Rush
- *Juncus filicaulis*  
  Thread Rush
- *Juncus pallidus*  
  Pale Rush
- *Phragmites australis*  
  Common Reed

*Denotes species described in booklet: Gardening with Native Plants in Yarra: A home gardener’s guide to protecting our natural heritage. (City of Yarra, 2001)*

**Table 2: Potential environmental weed species – not to be used in landscape works.**

<table>
<thead>
<tr>
<th>Species Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Acacia baileyana</em></td>
<td>Cootamundra Wattle</td>
</tr>
</tbody>
</table>

* Denotes species described in booklet: Gardening with Native Plants in Yarra: A home gardener’s guide to protecting our natural heritage. (City of Yarra, 2001)
<table>
<thead>
<tr>
<th>Species Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia decurrens</td>
<td>Early Black Wattle</td>
</tr>
<tr>
<td>Acacia longifolia</td>
<td>Sallow Wattle</td>
</tr>
<tr>
<td>Acacia saligna</td>
<td>Golden Wreath Wattle</td>
</tr>
<tr>
<td>Acanthus mollis</td>
<td>Bear’s Breeches</td>
</tr>
<tr>
<td>Acer spp.</td>
<td>Maple</td>
</tr>
<tr>
<td>Agapanthus praecox</td>
<td>Agapanthus</td>
</tr>
<tr>
<td>Allanthus altissima</td>
<td>Tree of Heaven</td>
</tr>
<tr>
<td>Anagallis arvensis</td>
<td>Pimpernel</td>
</tr>
<tr>
<td>Anredera cordifolia</td>
<td>Madeira Vine</td>
</tr>
<tr>
<td>Aroujia sericifera</td>
<td>Moth Plant</td>
</tr>
<tr>
<td>Artemisia vertoliorum</td>
<td>Chinese Wormwood</td>
</tr>
<tr>
<td>Arundo donax</td>
<td>Giant Reed</td>
</tr>
<tr>
<td>Buddleja davidii</td>
<td>Butterfly Bush</td>
</tr>
<tr>
<td>Calicotome spinosa</td>
<td>Spiny Broom</td>
</tr>
<tr>
<td>Chamaecytisus palmensis</td>
<td>Tree Lucerne</td>
</tr>
<tr>
<td>Chrysanthemoides monilfera</td>
<td>Boneseed</td>
</tr>
<tr>
<td>Conium maculatum</td>
<td>Hemlock</td>
</tr>
<tr>
<td>Coprosma repens</td>
<td>Mirror Bush</td>
</tr>
<tr>
<td>Cortaderia selloana</td>
<td>Pampas Grass</td>
</tr>
<tr>
<td>Cotoneaster spp.</td>
<td>Cotoneaster</td>
</tr>
<tr>
<td>Crataegus monogyna</td>
<td>Hawthorn</td>
</tr>
<tr>
<td>Crocosmia x crocosmiiflora</td>
<td>Montbretia</td>
</tr>
<tr>
<td>Cupressus macrocarpa</td>
<td>Monterey Cypress</td>
</tr>
<tr>
<td>Cynodon spp. +</td>
<td>Couch-grass</td>
</tr>
<tr>
<td>Cytisus scoparius</td>
<td>English Broom</td>
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<tr>
<td>Delaiera odorata</td>
<td>Cape Ivy</td>
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<tr>
<td>Echium plantagineum</td>
<td>Paterson’s Curse</td>
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<tr>
<td>Erica lusitanica</td>
<td>Spanish Heath</td>
</tr>
<tr>
<td>Eucalyptus botryoides</td>
<td>Southern Mahogany</td>
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<tr>
<td>Eucalyptus cladocalyx</td>
<td>Sugar Gum</td>
</tr>
<tr>
<td>Eucalyptus maculata</td>
<td>Spotted Gum</td>
</tr>
<tr>
<td>Species Name</td>
<td>Common Name</td>
</tr>
<tr>
<td>------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Festuca spp. +</td>
<td>Fescue</td>
</tr>
<tr>
<td>Ficus carica</td>
<td>Common Fig</td>
</tr>
<tr>
<td>Foeniculum vulgare</td>
<td>Fennel</td>
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<tr>
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<td>Desert Ash</td>
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<td>Cleavers</td>
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<td>Genista linifolia</td>
<td>Flax-leaf Broom</td>
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<td>Genista monspessulana</td>
<td>Montpellier Broom</td>
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<td>Ivy</td>
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<td>Ilex aquifolium</td>
<td>Holly</td>
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<td>Ipomoea indica</td>
<td>Blue Morning Glory</td>
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<td>Juncus acutus</td>
<td>Spiny Rush</td>
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<tr>
<td>Kniphofia spp.</td>
<td>Red-hot Poker</td>
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<td>Leptospermum laevigatum</td>
<td>Coast Tea-tree</td>
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<tr>
<td>Ligustrum spp.</td>
<td>Privet</td>
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<td>Lolium spp. +</td>
<td>Rye Grass</td>
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<td>Myosotis sylvatica</td>
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<td>Myrsiphyllum asparagoides</td>
<td>Bridal Creeper</td>
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<tr>
<td>Nasella spp.</td>
<td>Needle-grass, Serrated Tussock</td>
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<td>Olea europaea</td>
<td>Olive</td>
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<td>Opuntia vulgaris</td>
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<td>Parietaria judacia</td>
<td>Asthma Weed</td>
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<td>Paspalum spp. +</td>
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<td>Passiflora mollissima</td>
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<td>Kikuyu Grass</td>
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<td>Canary Island Date Palm</td>
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<td>Radiata Pine</td>
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<tr>
<td>Species Name</td>
<td>Common Name</td>
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<tr>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
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<td>Platanus x acerifolia</td>
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<td>Poplar</td>
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<td>Prunus cerasifera</td>
<td>Cherry Plum</td>
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<td>Pyracantha angustifolia</td>
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<tr>
<td>Ranunculus repens</td>
<td>Creeping Buttercup</td>
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<td>Rhamnus alaternus</td>
<td>Italian Buckthorn</td>
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<td>Rubus fruticosus spp. agg.</td>
<td>Blackberry</td>
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<td>Salix spp.</td>
<td>Willow</td>
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<td>Schinus molle</td>
<td>Pepper Tree</td>
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<td>Tecomaria capensis</td>
<td>Cape Honeysuckle</td>
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<tr>
<td>Tradescantia albiflora</td>
<td>Wandering Jew</td>
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<tr>
<td>Trifolium spp. +</td>
<td>Clover</td>
</tr>
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<td>Tropaeolum majus</td>
<td>Nasturtium</td>
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<td>Ulex europaeus</td>
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<td>Ulmus spp.</td>
<td>Elm</td>
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<td>Vinca major</td>
<td>Blue Periwinkle</td>
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<td>Vulpia spp. +</td>
<td>Fescue</td>
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<td>Watsonia meriana cv. bulbillifera</td>
<td>Bulbil Watsonia</td>
</tr>
<tr>
<td>Zantedeschia aethiopica</td>
<td>Arum Lily</td>
</tr>
</tbody>
</table>

+Denotes species that should be avoided, even though they are commonly used in turf and seed mixtures for lawns

**References**

Stage 2 of the Natural Heritage Study for the City of Yarra. Biosis Research, September 2001.

LICENCED PREMISES

This policy applies to an application under Clause 52.27 - Licensed premises.

Policy Basis

The City has over 700 licensed premises. The majority of these premises are in commercially zoned areas. However, a large number of licensed premises are also in residential areas or are adjacent to residential areas. Licensed premises in commercial areas have generally developed in clusters. This incidence has increased over the past decade through change in land use patterns across the City.

Licensed premises contribute to the vibrancy and economic strength of the municipality, providing diverse opportunities for social interaction, artistic and cultural activity including live music, food and entertainment, as well as supporting other primary functions.

However, considerable tensions sometimes develop between licensed premises and residential and other commercial land uses. These tensions relate to impacts on the amenity of the area including noise, patron behaviour off the premises and waste management.

There is a higher risk of adverse amenity impacts from licensed premises which operate late at night and encourage vertical drinking by having a low proportion of seating and a limited food offering. Licensed premises, including restaurants and cafes, which have a substantial food focus and a high proportion of seating have a lower risk of adverse amenity impacts.

Larger licensed premises (with a capacity exceeding 200 patrons) are encouraged to locate in Core Entertainment Precincts. These precincts are defined by the Commercial 1 Zone and limited to properties fronting (and with pedestrian access) from the listed main streets. The Core Entertainment Precincts have been selected because of their existing character and their capacity to accommodate future larger licensed venues with supporting infrastructure and services in the activity centres. By encouraging larger licensed premises to locate within these precincts the cumulative impacts on the surrounding area can be better assessed and managed.

This policy seeks to manage potential amenity impacts between licensed venues and other land uses.

Objectives

To protect the amenity of nearby properties and areas by effectively managing the location, size, operation and hours of licensed premises.

To encourage best practice venue design and venue operation for licensed premises.

To protect residential and other commercial uses from excess noise, traffic and car parking issues.

To provide for daytime trade and active street frontages in retail strips, while providing reasonable commercial opportunities for the trading of licensed premises.

Policy

It is policy that:

Location and Access

- Licensed premises with a capacity of more than 200 patrons should locate in the following Core Entertainment Precincts (defined by the Commercial 1 Zone and limited to properties fronting (and with pedestrian access) from the listed main streets.):
  - Swan Street west of Church Street
  - Bridge Road west of Burnley Street
  - Victoria Street west of Burnley Street
- Smith Street between Gertrude Street and Alexandra Parade
- Brunswick Street between Gertrude Street and Alexandra Parade

- Licensed premises should be located where:
  - The land is not zoned Residential (excluding the Mixed Use Zone).
  - Potential amenity impacts from (but not limited to) patron noise, ingress and egress of patrons, queuing of patrons, smoking areas for patrons, and dispersal of patrons from the site can be appropriately managed or buffered.
  - There is opportunity for a high level of public safety and surveillance of patrons as they enter and leave the premises.
  - The premises would not result in an unreasonable cumulative impact on the amenity of the surrounding area.

**Venue Design**

- The layout and design of new licensed premises incorporate safe design principles as detailed in the *Design Guidelines for Licensed Venues* (Victorian Commission of Gambling and Liquor Regulation 2017).
- The entry and exits points of a licensed premise and the areas for queuing of patrons are located away from sensitive land uses.
- Waste management and storage is provided on-site, and noise enclosures are provided where bottle crushers are to be used.

**Hours of Operation**

- Licensed premises in a Residential zone (other than a Mixed Use Zone) should not provide for the sale and consumption of liquor beyond 8pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.
- Licensed premises in a Mixed Use Zone should not provide for the sale and consumption of liquor beyond 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.
- Licensed premises within 30 metres of a residential zone should not provide for the sale and consumption of liquor beyond 11pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.
- Licensed premises in a Commercial or Industrial zone should not provide for the sale and consumption of liquor beyond 1am, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.
- Packaged liquor outlets should not provide for the sale of liquor after 11pm.
- For outdoor areas, including smoking areas, rooftops and open courtyards, the sale and consumption of liquor should not occur after 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.
- Licensed premises (including packaged liquor outlets) should not commence the sale and consumption of liquor before 9am.
- Deliveries to and waste collection from a licensed premises should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday except for those allowed under any relevant local law.
- Emptying bottles into bins in outdoor areas should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday.
An assessment of the impact of the hours of operation on the amenity of nearby properties and the surrounding area must consider:

- The proposed use and licence type.
- The zoning of surrounding land.
- The location of the premises, location of car parking and availability of public transport, taxi ranks and ride sharing.
- The nature of surrounding uses and hours of operation.
- Potential noise emissions from the premises.
- The impact of patrons arriving and leaving the premises, including:
  - for venues operating after 10pm, whether access from the licensed premises to public transport is likely to be through a residential area; and
  - any cumulative impact on the amenity of the area.

**Patron Numbers**

- The number of patrons should not exceed the safe and amenable operating capacity of the premises. An assessment of the maximum number of patrons that can be physically accommodated within a venue should be based on the *VCGLR Liquor Licensing Fact Sheet – Maximum Patron Capacity* (2016).
- The number of patrons reflects the strategic and physical context of the site and will not adversely affect the amenity of nearby properties and the surrounding area, including by any unreasonable cumulative impact.

**Noise**

- Noise from the operation of the licensed premises should not have an unreasonable impact on the amenity of the area.
- Noise emissions from licensed premises should comply with the standards specified in the State Environmental Protection Policy or any other relevant requirement such as accepted sleep disturbance criteria or relevant Australian Standards.
- On-site noise attenuation measures should be applied for licensed premises where unreasonable amenity impacts on the surrounding area may result from the proposed activities.
- Where required, a licensed premise must be designed and managed in accordance with an acoustic report approved by the responsible authority.

**Noise and Amenity Action Plan**

- Where required, licensed premises are managed in accordance with a Noise and Amenity Action Plan (NAAP).

**Application to amend an existing permit**

An assessment of an application to vary or extend an existing permit for a licensed premises, must consider:

- Any relevant information about the previous and current operation of the premises including, but not limited to complaints received by relevant authorities such as the Yarra City Council, Victoria Police, and the Victorian Commission for Gambling and Liquor Regulation.
- Any contravention of a permit condition or liquor licence.
- Whether the conditions on the existing permit regulating the venue design, hours of operation, patron numbers, and noise and amenity impacts are adequate.
Application requirements

An application must be accompanied by the following information:

A site analysis plan detailing:

- The proximity of the licensed premises to residential properties and other sensitive land uses, including details of doors, windows and open space areas on all residential properties in close proximity to the site; and
- The nature and location of uses surrounding the proposed licensed premises including the type of licensed premises in the area, the hours of operation and patron numbers.
- The location of off street car parks within the locality of the subject site, including the nature of any time restrictions.
- The location and hours of operation of any transport services including rail, tram, bus, taxis and ride sharing.

Site and floor plans detailing:

- Existing floor plans of all levels of the building(s) and outdoor areas on the site.
- Proposed floor plans of all levels of the building(s) and outdoor areas on the site including a calculation of floor areas in square metres, the use and patron capacity of all areas to be licensed, waste storage area, security lighting and any amplification or speaker system. Where applicable, the location of queuing areas, CCTV surveillance, areas where live performance is to occur, dance floor areas and smoking areas.
- A ‘red-line plan’ showing the public areas where alcohol will be sold and consumed. For packaged liquor, a ‘red-line plan’ is required showing where alcohol will be displayed for sale and where it will be sold.

A written submission including the following information:

- A description of the proposed use(s), the type of licence(s) sought, hours of operation, provision and hours of food service, seating ratios and the type of music and/or entertainment to be offered.
- An assessment by a building surveyor detailing the patron capacity of the licensed premises where an application proposes an increase in patron numbers or a new licence.
- Details of waste management (including storage and hours of collection for general rubbish and bottles associated with the licensed premise), bottle crushers, and delivery times associated with the licensed premise.
- An assessment of all potential off-site impacts including identification of ways in which such impacts will be managed and mitigated.
- Where relevant, the views of the Victoria Police.

Where required, A Noise and Amenity Plan (NAAP) which must include the following information:

- Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an ‘authorised officer’ of Council or the Victorian Commission for Gambling and Liquor Regulation.
- The management and dispersal of patrons, including patrons loitering around the venue after the venue has closed.
- The management of large group bookings.
- The management of smokers and on and off-site smoking areas (particularly where liquor may not be allowed to be sold and consumed within the smoking area after a particular time).
- The management of external queues.
- How the movement and exit of patrons is to be managed, particularly where there is a requirement to close different sections of the venue at different times.

- Details of the provision of music including the frequency and hours of entertainment provided by live bands and DJs.

- Any other measures to be undertaken to ensure no unreasonable amenity impacts from the licensed premises.
  A NAAP is not required for an application for a restaurant (including a café) or a packaged liquor outlet.

Where required, an acoustic report prepared by a suitably qualified and experienced acoustician which must specify details of:

- All noise sources and methods to be undertaken to control noise emissions to satisfy State Environment Protection Policy (SEPP) No.1 – Control of Noise from Commerce Industry and Trade and SEPP No.2 – Control of music noise from public premises or any other requirement, such as accepted sleep disturbance criteria or relevant Australian Standards.
  An acoustic report is not required for an application for a packaged liquor outlet (any hours) or a restaurant (including a café) where the preferred hours of operation specified in this policy are met.

Where required, a written report which must demonstrate how each of the design elements of the Design Guidelines for Licensed Venues have been addressed in the layout, development and management plans for the premises.

- A written report is not required for an application for a restaurant (including a café) or a packaged liquor outlet.

Where required, a cumulative impact assessment, being either:

- An assessment against the guidelines specified in Planning Practice Note 61: Licensed Premises: Assessing Cumulative Impact where the site is identified within a “cluster” of licensed premises; or

- A statement explaining why a cumulative impact assessment is not required having regard to those sections of Practice Note 61: Licensed Premises: Assessing Cumulative Impact titled “When to use the guidelines” and “What is a cluster?”

- A cumulative impact assessment is not required for an application for a restaurant (including a café) (any hours) or a packaged liquor outlet where the preferred hours of operation specified in this policy are met.

Reference documents

Public Place (2015) Licensed Premises Policy - Background Document


Inner City Entertainment Precincts Taskforce (2005) ‘A good night for all’ - options for improving safety and amenity in inner city entertainment precincts

Council Plan 2017-2021
BUILT FORM AND DESIGN POLICY

The policy applies to all new development not included in a heritage overlay. Clause 22.10-3.1 does not apply to residential development. Clauses 22.10-3.6 to 22.10-3.11 do not apply for applications required to be assessed against Clause 54 or Clause 55.

The policy comprises ten design elements that address the following issues:

- Urban form and character.
- Setbacks and building heights.
- Street and public space quality.
- Environmental sustainability.
- Site coverage.
- On-site amenity.
- Off-site amenity.
- Landscaping and fencing.
- Parking, traffic and access.
- Service infrastructure.

Each of the above elements includes Design Objectives and Design Guidelines. The Design Objectives describe the desired development outcomes, while the Design Guidelines provide standards or techniques that can be implemented to achieve the Design Objectives.

All of the Design Objectives must be met, while the Design Guidelines should be met. Where the Design Guidelines are not met, the written submission included as part of the supporting documentation must explain how the proposed development achieves the related Design Objectives.

Policy Basis

The City of Yarra Municipal Strategic Statement recognises that a key strength of the municipality is its diversity in terms of land use mix, built form, natural features and community composition. In many respects it is this diversity, combined with Yarra City’s inner urban location, that is contributing to an increasing demand for more intense urban development. These pressures include multi-storey development along main roads, within established mixed use, retail, commercial and industrial areas and close to the Yarra River.

In guiding the scale, form and appearance of new development much of the City’s 19th century urban fabric is already protected by heritage overlays and the Clause 22.02 - Local Planning Policy, “Development Guidelines for Heritage Places”. However, for areas where heritage overlays do not apply there is a need to provide guidelines for the assessment of new built form.

Objectives

- Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.
- Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.
- Limit the impact of new development on the amenity of surrounding land, particularly residential land.
- Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and ‘walkability’ of the City’s streets and public spaces.
- Create a positive interface between the private domain and public spaces.
- Encourage environmentally sustainable development.

22.10-3  
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22.10-3.1 Application Requirements for Non-Residential Development

Site Analysis Plan
The preparation of a detailed site analysis plan is fundamental in determining sensitive interface issues and appropriate setbacks and building heights of new development. Accordingly, a site analysis plan showing the following information, as appropriate, must be submitted with the planning permit application:

In relation to the subject site:
- Site shape, size, orientation, slope (contours) and location and type of any easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location and heights of existing buildings on the site.
- Solar access to the site.
- Shadows cast by any existing buildings between 9am and 3pm on 22 September.
- Location and botanical name of significant trees.
- Fence heights, styles and location.
- Views to and from the site.
- Street frontage features such as poles, street trees, kerb crossovers and pedestrian access points.
- Any other notable features or characteristics of the site.

In relation to adjacent properties and the broader neighbourhood:
- The location and heights of buildings on adjacent properties.
- The use of buildings on adjacent properties.
- The location of secluded private open space and habitable room windows of adjacent residential properties which have an outlook to the site within 9 metres.
- Solar access to adjacent properties.
- The pattern of development of the neighbourhood, including details regarding widths of adjacent footpaths and roadways, and street planting.
- The built form, scale and character of surrounding development including front fencing.
- Architectural styles of surrounding buildings.
- Location of any nearby places of cultural heritage significance.
- Land (such as streets/laneways and public parks) where natural surveillance is desirable.
- The location of local shops, public transport services, public open spaces (including any pedestrian and cycle links to these facilities) situated within walking distance of the site.
- Any other notable features or characteristics of the neighbourhood.

Design Response
The design response must demonstrate how the proposed development derives from and responds to the site analysis plan.

A design response showing the following information, as appropriate, must be submitted with the application:
• The location of the proposed buildings in relation to the location of surrounding buildings.
• Proposed building heights in relation to the heights of surrounding buildings (include elevations and cross sectional drawings).
• Correctly proportioned street elevation or photomontage showing the development in the context of surrounding buildings.
• Photomontage(s) showing the visual impact of the development when viewed from other key short, mid and long-range points.
• Building materials.
• Roof top details.
• Shadows cast by the new development on surrounding land for each hour between 9am and 3pm on 22 September.
• The location and width of vehicular and pedestrian access ways.
• Landscaping treatments, including notation of any existing trees to be removed.
• Treatment of interfaces with adjacent uses and development.

22.10-3.2 Urban form and character

Design Objectives

To retain and extend the City’s fine grain of street pattern and urban form.
To ensure that developments contribute positively to the urban fabric and public realm.
To improve the transparency and legibility of the city’s urban form and structure.
To achieve continuity in the built form having regard to rhythm and spacing of buildings and any distinctive street pattern (as identified in the Site Analysis Plan and Design Response).

Design Guidelines

Within large redevelopment sites, design a vehicle and pedestrian network that ensures a high level of access within the development for all vehicular and non-vehicular traffic that connects and integrates with the broader network.

New development on large remnant sites should respect any existing prevailing subdivision pattern (as identified in the Site Analysis Plan and Design Response) by providing adequate separation between buildings and modular building bulk rather than unbroken mass.

Express the original fine-grained subdivision pattern in building design, massing, modulation and facade articulation.

Within sites removed from the small lot, fine-grain areas of the city, create a new urban character that adds to the layering of the city’s historical evolution.

22.10-3.3 Setbacks & Building Height

Design Objectives

To ensure that the setbacks of new development complement the desired neighbourhood character of the area (as identified in the Site Analysis Plan and Design Response, the Municipal Strategic Statement and any relevant local planning policies).

To ensure that the height of new development is appropriate to the context of the area (as identified in the Site Analysis Plan and Design Response) and respects the prevailing pattern of heights of the area where this is a positive contribution to neighbourhood character.
To ensure new roof forms respect any prevailing roof forms in the area (as identified in the Site Analysis Plan and Design Response) and contribute to the skyline silhouette.

**Design Guidelines**

New development constructed with a front setback to the street should include soft landscaping within the setback area. This setback should not be used for ancillary services, car parking, basement car parking, ventilation shafts, or major promotion signs.

Use massing or articulation or changes of surface treatment, or a combination of these, to relate taller buildings to the scale of their surrounds, and to diminish visual bulk.

The maximum building height for the portion of the new development between the primary setback and the secondary setback should not exceed the height of the higher of the two adjacent buildings unless:

- The height is specified in any relevant policy or schedule set out under this Scheme.
- The development is in an area where it is appropriate and practicable to establish a distinctly different new character in order to achieve planning objectives.
- The adjacent buildings do not reflect the prevailing heights of the area.
- One of the adjacent buildings is considerably lower in height than the other and it is appropriate to step down to the lower building to create a suitable transition in building height.

New development that is higher than adjacent buildings should adopt a secondary setback for the higher building component which:

- Aligns to the street pattern;
- Retains existing view lines to nearby heritage places and other key features.

The use of the secondary setback space should:

- Remain as roof space or be used as a roof top garden;
- Remain open to the sky; and
- Be free of ancillary services or major promotion signs.

The height of any portion of the new development which is located on the secondary setback should be guided by its’ visual impact and off-site amenity impacts on surrounding properties such as overshadowing, visual bulk, day lighting to habitable rooms and overlooking.

The overall height of new development (including the height between the primary setback and the secondary setback) may exceed the prevailing building height of the area if the site does not cause off-site impacts and is either:

- Located on a corner site of a main road; or
- Of substantial land area.

New development which abuts a laneway should be no higher than 2 storeys and should not affect the amenity of neighbouring residential properties.

Roof forms should respect those of the area having regard to the following elements:

- Roof hips and pitches;
- Gable ends;
- Parapets;
- Ridgelines;
- Chimneys; and
- Materials (e.g. terra cotta, slate, corrugated iron etc).
The height of new development abutting land in a Heritage Overlay should:

- Adopt a façade height to the street frontage which is no higher than the adjacent building within the Heritage Overlay;
- Design and site taller structures so that they do not visually dominate surrounding heritage places; and
- Match the floor levels of the adjacent heritage building.

22.10-3.4 Street and Public Space Quality

Design Objectives
To ensure ground level façade and boundary treatments interface positively with the street and public domain treatments interface positively with the street and public domain.
To ensure that new development enhances public safety and the pedestrian experience.
To ensure that access and views to public open spaces are provided where possible.
To create attractive and active interfaces with the public domain whilst maintaining a sense of public space.
To ensure the building presents visually interesting elevations on all faces visible from the public domain.
To provide pedestrian/human scaled design at street level.

Design Guidelines
New development should:
- Be oriented to front existing and proposed streets.
- Produce high quality architectural design.
- Maintain the dominant parapet line of adjacent buildings (where this exists).
- Express the traditional and characteristic vertical rhythm of buildings and the dominant lot widths (where they exist) within the street.
- Continue vertical or horizontal themes within the facade (where these exist and where appropriate).
- Use appropriate materials, finishes and colours, which add visual interest and, assist in breaking up the mass and bulk of new development.
- Incorporate roof articulation.
- Provide a reasonable level of transparent treatment (e.g. windows, voids etc) within the front and side street elevations.
- Provide weather protection of footpaths where practical and appropriate.
- Limit front fence heights to allow views into the site from the street.

The design of the ground level street frontage of new development should provide a high level of pedestrian amenity and visual interest by:

- Providing well-defined entries at ground level on the street frontage.
- Incorporating commercial/display or retail space (where appropriate).
- Installing glazed areas allowing permeability into the interior spaces.
- Matching ground floor level with street level.
- Avoiding sub-basement car parks where the structure of the car park and vents are raised above the footpath level.

New development should enhance the night time experience in the street by:

- External illumination of the building façade and main entries.
- Illuminating ground level landscaping.
- Illuminating directional signage.

Development on large sites should include through-site pedestrian links to the surrounding street network and any adjoining public parks and spaces.
22.10-3.5 Environmental Sustainability

Design Objectives
To ensure that new development is environmentally sustainable.
To minimise the use of energy and natural resources in the construction and operation of buildings.
To facilitate on-site stormwater infiltration or collection for reuse.
To reduce the impact of stormwater run-off on the drainage system.
To reduce the impact of stormwater on the water quality of the Yarra River, Darebin and Merri Creeks.

Design Guidelines
New development should be sited and orientated to maximise solar energy use.
New development should:
- Include an appropriate level of openable windows to allow effective natural ventilation of internal spaces;
- Locate doors and openable windows to allow effective cross ventilation to occur;
- Incorporate measures to protect occupants from harsh weather conditions, western sun, strong winds and to provide summer shading and winter sunlight to windows;
- Maximise the retention and re-use of existing materials;
- Consider the use of on-site electricity generation systems;
- Ensure that floors, walls and ceilings are well insulated;
- Provide outdoor clothes drying for accommodation uses;
- Use energy efficient fixtures and fittings;
- Minimise the need for artificial lighting during daylight hours; and
- Avoid the need for mechanical heating and cooling.
New development should minimise water use by:
- Maximising the collection and reuse of rainwater;
- Reusing greywater for watering of landscaped areas and flushing toilets;
- Using water efficient fixtures and fittings such as low flow taps and shower heads,
- Maximising the use of permeable surfaces to assist with the on-site filtration of stormwater;
- Minimising the need for watering gardens by using indigenous and drought tolerant plants.
Landscape works should be designed to filter and absorb stormwater.

22.10-3.6 Site Coverage

Design Objectives
To ensure that the site coverage of new development complements the desired neighbourhood character of the area and responds to the features of the site (as identified in the Site Analysis Plan, Design Response, the Municipal Strategic Statement and any relevant local planning policies).

Design Guidelines
New development should not exceed a maximum site coverage of 80% of the site area unless:
- the pattern of site coverage in the immediate area is higher than this figure (as identified in the Site Analysis Plan and Design Response); or
there is a need to cap the site to deal with contamination.

22.10-3.7 On-Site Amenity

Design Objectives
To ensure that new development optimises amenity for future occupants.
To encourage new residential development that provides dwellings with an appropriate aspect and view of the public domain.
To ensure that new residential development provides private and/or communal open space that is well designed, functional, safe, solar oriented, well ventilated and meets the needs of residents.
To ensure that new development contributes to a sense of safety, comfort and community presence within the site and its immediate environs.

Design Guidelines
New development provides an appropriate level of natural daylight into internal communal spaces and habitable rooms.
Avoid internal facing dwellings wherever possible, unless they address a large internal communal open space area.
Development should incorporate layouts that provide for personal safety, security and a high level of amenity through:

- Externally illuminating public and semi-private exterior spaces within and surrounding the development;
- Ensuring public and semi-private exterior spaces can be observed from the street and/or other public spaces and/or residential windows (Note: Natural surveillance and the need to externally illuminate exterior spaces does not apply to residential private open space);
- Tailoring landscaping to maximise sight lines; and
- Avoiding dead ends and cul-de-sacs.

Ensure buildings do not detract from the landscape character and attractiveness of open spaces.
The orientation and quality of development should provide for a high level of acoustic protection by:

- Providing effective acoustic insulation especially where new residential or mixed use development is proposed near to existing noise sources (an acoustic assessment report is required if potential problems are identified by Council); and
- Locating plant and other ancillary services in discrete locations.

Residential development should provide private open spaces which:

- Are adequate in area, dimension and slope for the needs of likely residents;
- Have access to direct sunlight;
- Have convenient access from a main living room; and
- Are appropriate to the locality, size and type of dwelling.

Private open spaces may be reduced where communal space or recreation facilities will better serve the needs of residents.

Communal open space provided for residential development should:

- Be substantially fronted by development;
- Provide an outlook for as many dwellings as practicable;
- Have an open design that provides a north facing aspect and orientation so as to not unreasonably enclose the space;
- Be designed to protect any natural features on the site;
- Be safe, accessible and useable; and
- Be adequate in area, dimension and slope for the needs of likely residents.

Development should ensure that at least 50% of communal open space areas receive direct sunlight for a minimum of 5 hours on September 22.

New development should increase the safety of residents/users of the site during evening hours by lighting:
- Car parking areas;
- Communal open space areas; and
- Pathways/pedestrian routes.

### 22.10-3.8 Off-Site Amenity

**Design Objectives**

To ensure that new development does not prejudice the rights of adjoining and/or nearby land users (especially residents) to enjoy solar access, privacy, and acceptable noise levels.

To ensure that built form enhances and does not detract from the landscape character of parks and open spaces.

To ensure that new development does not substantially overshadow adjoining residential private open space or public facilities such as parks and gardens.

**Design Guidelines**

New development should provide for a high level of acoustic protection to adjoining properties by:
Locating plant and other service infrastructure (including automatic garage doors) in discrete locations;

Using masonry wall construction rather than, for example, curtain walling; and

Building in effective acoustic insulation.

The location, length and height of any wall built to a side or rear boundary should not adversely impact on the amenity of any adjoining residential properties in terms of overshadowing of private open space, visual bulk or daylighting to habitable room windows.

Where private open space and/or windows to adjacent uses are affected, additional setbacks from side boundaries are required to address loss of daylight, overshadowing and visual bulk impacts on neighbouring properties, especially residential properties.

The perimeter walls of new development should:

- Provide appropriate articulation (utilising setbacks, fenestration etc);
- Be designed to provide an appropriate solid to void ratio; and
- Use sympathetic materials and finishes.

The design of development should avoid reflective materials unless it can be demonstrated that any potential reflections will not have a detrimental impact on surrounding properties.

New development should create a positive interface with parkland. Such interfaces should:

- Relate the scale and siting of a building to the topography and character of the parkland;
- Use windows and balconies to allow natural surveillance and enhance the feeling of safety in the parkland;
- Maintain sunlight reaching the parkland;
- Provide landscaping which complements the vegetation character of the parkland; and
- Increase useability of the parkland by considering contributing to any needed landscape or night lighting upgrades.

New residential development that contains a habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling or a dwelling’s secluded private open space located 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 metres above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25% transparent.
**22.10-3.9 Landscaping and Fencing**

**Design Objectives**

To retain mature vegetation on the site where possible.

To encourage development that respects the landscaped character of the neighbourhood.

To enhance local biodiversity.

To ensure that the height and design of new front fencing respects the character of the development and any prevailing fence style in the area where this exists (as identified in the Site Analysis Plan and Design Response).

To ensure that any landscaped front setbacks make a positive contribution to the public domain.

**Design Guidelines**

Proposed landscaping should include the use of indigenous plants and avoid the use of environmental weeds.

Where existing trees and plantings are to be retained, development should be sited at an appropriate distance to ensure the ongoing health of the retained trees and plantings.

High solid fence treatments to street boundaries should be avoided.

New fencing should:

- Provide an appropriate level of privacy and security but avoid a gated effect.
- Allow for natural surveillance of the public domain and communal areas within the site.
- Provide an appropriate level of privacy and security.
- Be consistent with the design of the building.
- Clearly define the boundaries of the site.

Landscaping should enhance the streetscape and development by:
- Incorporating landscape materials and treatments that are durable and resistant to adverse environmental conditions.
- Incorporating themes that are consistent with the prevailing landscape theme in the street and/or that reflect the strategic significance of the surrounds.
- Defining the boundaries of sites.
- Utilising soft landscaping treatments in the setbacks to buildings rather than hard surfaces.

### 22.10-3.10 Parking, Traffic and Access

#### Design Objectives

To ensure that new development provides an adequate number of on-site spaces to meet the parking demand, including visitor parking, generated by the use(s).

To ensure that new development only generates traffic volumes that can be safely accommodated by the surrounding street network.

To ensure that new development does not result in congestion of intersections with primary or secondary roads.

To ensure that new development does not result in vehicles banking along roads that contain tramlines.

To provide legible and safe vehicular entry to new development.

To ensure that access to car parking areas and loading areas does not adversely affect pedestrian amenity.

Ensure that the use or development of the land does not affect the level of service, safety and amenity of the adjacent arterial road network.

#### Design Guidelines

**Number of Parking Spaces**

New development must provide an appropriate number of car spaces having regard to:
The existing and proposed activities on the land; and

The nature of the locality.

Car parking for residential development should be provided as follows:

- 1 resident space for each one or two bedroom dwelling;
- 2 resident spaces for each three or more bedroom dwelling; and
- 1 visitor space for every five dwellings (these should be clearly marked as visitor parking).

Studies or studies that comprise separate rooms must be considered bedrooms for car parking provision.

Visitor parking should be provided on-site.

**Design and Location of Car Parking**

New development should provide car parking areas that are:

- Concealed from street frontages;
- Sited to ensure adjacent sensitive land uses such as residential use will not be negatively impacted by noise, light spill and traffic generation;
- Reasonably close and convenient to the development;
- Secure;
- Designed to allow safe and efficient movements within the development;
- Avoid tandem spaces where possible; and
- Well ventilated (if underground).

Open, ground level, multi-space car parking areas are discouraged.

Non-residential multi-deck car parking should:

- Preferably be located in a basement car park or at the rear of the site;
- Avoid blank walls to the ground and upper level street frontages; and
- Conceal the view of cars on upper levels from all frontages.

Basement car parks are the preferred method of providing on-site parking for large-scale residential development. A component of semi-basement car parking may be acceptable where:

- The semi-basement does not directly interface with surrounding streets; and
- Landscaping is used to adequately screen views into the car park.

**Traffic Management**

New development should not introduce an excessive level of traffic into the local traffic network.

A traffic impact assessment report is required, if potential traffic conflicts are identified by Council, and for any development that is expected to generate more than 100 vehicular trips per day or likely to increase the traffic movements on any leg of a nearby intersection, involving a Road Zone 1 road, by ten percent or more.

New development should provide vehicular entries that:

- Are sited to ensure sensitive land uses, such as residential use, will not be negatively impacted on in terms of noise, light spill and traffic generation;
- Do not compromise the flow of traffic on surrounding roads;
- Do not dominate the appearance of the building and/or site frontage;
- Maintain high levels of pedestrian safety and sight lines;
• Have a limited number of crossovers and rationalise existing crossovers where possible;

• Provide for the safe entry of cyclists; and

• Limit crossover widths, by:
  - Providing a minimum of 2 metres distance between crossovers;
  - Being located a minimum of 2 metres from side boundaries; and
  - Limiting the width of crossovers to 3 metres (single) and 5.5 metres (double).

**Pedestrian Access**

New development should take into consideration the amenity needs of pedestrians by:

• Providing appropriate separation between vehicle access and pedestrian entry areas to allow a safe crossing area for pedestrians;

• Clearly signposting car movements and areas of frequent vehicular use in order to avoid pedestrian conflict;

• Maintaining high levels of pedestrian safety and internal sight lines;

• Attractively landscaping open ground level car parking areas where they are provided; and

• Providing appropriate illumination for evening access and safety.

**Loading Bays**

In addition to the requirements of Clause 52.07 of the Yarra Planning Scheme, loading bays for non-residential development should:

• Be clearly separated and screened from pedestrian areas;

• In the case of larger sites, allow for vehicle turning to prevent reversing onto and off the site;

• Provide for loading and unloading to occur entirely off street; and

• Be concealed from the frontage and street corners.
22.10-3.11 Service Infrastructure

Design Objectives

New development should ensure that service infrastructure is appropriately sited and blended into the design of new buildings and is obscured from the public domain.

New development should ensure that appropriate garbage, recycling and storage facilities are provided on-site.

Service infrastructure should not cause detriment in terms of noise.

Design Guidelines

Ancillary services should be:

- Concealed from front, side and rear boundary view (for example, within roof forms).
- Incorporated within the design of the development.

Ancillary services should be located away from on-site and adjacent sensitive land uses where noise levels may be detrimental to amenity.

Ancillary services should be appropriately treated to reduce noise that may interfere with the amenity of adjoining land, especially residential use.

Accessible and secure storage (minimum of 6m³ per dwelling) should be provided within new residential development.
Garbage and recycling bin enclosures should be adequate in size and blend in with the development. Bin and recycling enclosures should be located for convenient access by users and collection vehicles. All public infrastructure facilities should be conveniently located to enable efficient maintenance without disrupting the operation or use of the building.

Reference Documents

- City of Yarra Built Form Review 2003
- Environment Protection Authority: “Guidelines for Major Construction sites” (EPA Publication No. 480)
VICTORIA STREET EAST PRECINCT POLICY

This policy applies to all land in the Victoria Street East Precinct as shown on Map 1 forming part of this policy.

Policy Basis

The City of Yarra’s Municipal Strategic Statement recognises the impacts of structural economic change on Yarra’s traditional manufacturing base and that Council must promote new opportunities for surplus industrial land, in order to provide sustainable local employment and economic growth while maximising residential development opportunities.

The Victoria Street East Precinct is undergoing extensive private-sector redevelopment. The Victoria Gardens Shopping Centre and associated apartments are the first stages in the transformation of industrial sites in the area.

A number of large property holdings exist in the area north of Victoria Street and west of Burnley Street, which are identified as strategic redevelopment sites including:

- 613-627 Victoria Street, Abbotsford (former Metropolitan Fire Brigade site).
- 520 Victoria Street, 2 – 52 Burnley Street and 171 Buckingham Street, Richmond (Burnley Street west-side)
- 647-649 Victoria Street, Abbotsford (Walmer street site)
- 679 Victoria Street, Abbotsford (Honeywell site)
- 601 Victoria Street, Abbotsford (Going-Going-Gone site)

Redevelopment is also likely on many smaller properties particularly in the south of the Precinct.

Key features of the precinct include:

- Proximity to the Yarra River and opportunities to link the activity centre and the Yarra River corridor, and improve the accessibility and amenity of riverside open spaces while protecting the River’s natural assets
- The proximity to Abbotsford’s industrial area, especially the Carlton United Brewery and the need to carefully manage potential conflicts between uses in existing and new development.
- Established residential neighbourhoods to the south and west of the Precinct and the need for major redevelopment sites to provide an appropriate built form and land use transition and interface with these areas.
- Burnley Street and Victoria Street which are major arterial roads with high traffic levels, providing key connections to the CBD, freeway systems, and public transport access provided by Route 109 tram.
- The role of the precinct as part of the Victoria Street Major Activity Centre and the need for appropriate provision for the development and expansion of amenities and infrastructure of all kinds.

The City of Yarra developed the Victoria Street East Precinct, Richmond Urban Design Framework 16 November 2005 (UDF) to guide change in the area, to support Council and State policies including Melbourne 2030 and to enable development to fit comfortably with established areas within the Precinct. The principles of the UDF provide a guide for future development within the Precinct, particularly in relation to the treatment of the interface between new development and the Yarra River and its environs, the Abbotsford industrial area and established residential neighbourhoods.
Objectives

Yarra River and open spaces

- To create strong public links to the Yarra River and improve the accessibility and amenity of the River corridor as a significant public open space
- To capitalise on the northerly aspect and proximity to public transport, while protecting and maintaining the recreational use of the river corridor.
- To enhance the landscape character of the river corridor and to ensure that the natural vegetation character is integrated into new development.
- To minimise the impact of building massing and siting when viewed from within the river corridor and ensure a vegetation dominated setting along the River edge,
- To improve natural surveillance, general safety and public accessibility of public space within the River corridor while maintaining the environmental qualities or the corridor.

Traffic and Access

- To improve the pedestrian environment along main roads, within the Precinct and along the River corridor, particularly at the intersection of Victoria Street with Burnley and Walmer Streets.
- To encourage the use of public transport, cycling and walking for access within the Victoria Street Precinct and between it and other parts of Melbourne.
- To provide for adequate access to, from and within redevelopment sites that contributes to the development of an integrated pedestrian and cycling network within the Precinct.
- To reduce vehicular traffic conflicts with tram services in Victoria Street without the requirement of future road widening.

Provision of infrastructure

- To develop and improve existing infrastructure in and around the Precinct, including parklands on both sides of the River and community infrastructure.
- To ensure new development contributes to the provision of appropriate physical and social infrastructure to support the change of uses in the Precinct.

Land use, activity and development opportunities

- To facilitate a mix of land uses appropriate for land forming part of the Victoria Street Major Activity Centre.
- To maximise opportunities for new development on former industrial sites and other disused sites while protecting the amenity of the surrounding area and enhancing the landscape character of the River corridor.
- To provide for higher intensity residential development within the Major Activity Centre where this will not be discordant with the built form and amenity of residential areas to the west and south of the Precinct.
- To protect existing industrial activities in the Industrial 1 Zone adjacent to the Precinct, while supporting opportunities for a shift from industrial activity to business activity within the Precinct.
- To create new local employment opportunities and protect existing ones, especially in the nearby CUB precinct
- To encourage the relocation of dangerous industry from the area south of Victoria Gardens and encourage more appropriate redevelopment as a transition between Victoria Gardens and residential areas.
Urban Design and Built Form

- To relate the siting, scale, bulk and massing of new development to the distinctive landscape and ex-industrial character of this section of the Yarra River Corridor.

- To encourage high quality urban design and architecture throughout the precinct which contributes to the public realm, including the Yarra River corridor and streetscapes.

- To ensure that the development or redevelopment of this precinct protects the character and amenity of neighbouring residential areas.

- To ensure access to sunlight and amenity is maintained in public spaces and that sensitive community facilities are protected from overshadowing and other detrimental impacts.

- To protect views to important landmarks, such as the ‘Skipping Girl’ sign.

Policy

It is policy that:

Yarra River and Open Spaces

- New development is encouraged to be set well back from the River with the area provided by setbacks and additional open space integrated with the River corridor to provide universal public access.

- Development is designed to provide an appropriate interface with open space areas and the Yarra River corridor and incorporates design features to protect such areas and take advantage of the northerly aspect provided in this area of the river corridor.

- A continuous public open space and access link is provided along the River corridor including a dual pathway system with a lower path provided in a ‘natural’ setting along the River banks and a higher-level path designed in a more ‘urban’ setting, to correlate with the topography of the setting.

- Setbacks or open spaces are appropriately landscaped and designed to integrate with the River corridor landscape, including the predominant planting of indigenous species and to screen views of buildings from the Yarra River Main Trail and areas of public open space.

- The design, materials and colours of fencing, retaining walls and terracing complements the natural landscape setting of the river corridor. The use of visually permeable fences, screen plantings, weathered timber, bluestone or other basaltic rocks and muted tones and natural colours is encouraged. Reflective, off-form white concrete is discouraged.

- External lighting associated with new development is encouraged to be:
  - designed to illuminate pedestrian activity areas only and to avoid light spill into tree canopies and other vegetated areas
  - of white based light sources, with yellow lighting and the illumination of building facades orientated towards the river discouraged

- Boat landings are located parallel to the water’s edge and constructed of durable heavy timber of concrete in natural weathered colours.

- Muted natural colours for fittings and bases, finished with graffiti proof paint, is encouraged.

Traffic, access and car parking

- Doonside Street should be improved as a major vehicular entry to Victoria Gardens and the area to the south.

- A vehicular link should be provided between Southampton and Flockhart Streets to improve local access as an alternative to Victoria Street.
Existing signalised intersections should be used where possible for vehicle access to new development, with priority given to minimising impacts on the Route 109 tram.

Principal vehicular access to the Yarra Gardens precinct and Walmer Street sites should be provided via the Walmer Street intersection and Flockhart Street to minimise impacts on Victoria Street.

Car parking areas should be incorporated within developments, preferably underground. Garage access to underground car parks should be visually concealed from the river frontage and the Main Yarra Trail.

All development should use existing rear lanes where they exist, to provide service and vehicular access to the site and avoid open air ground level car parks or parking in structures exposed to street frontages.

Development should be designed so that rear service areas and entries do not generate unreasonable noise or other detrimental impacts on the use of nearby properties.

Where open air car parking areas are unavoidable and they are not incorporated into new development, the surface of the parking areas must be a dark bitumen all weather asphalt with dark coloured matching bluestone curb with a colour matching concrete channel.

All car parking areas must incorporate a water detention system to limit run-off and litter entrapment system to protect water quality in the Yarra River, to the satisfaction of Council.

Driveway crossovers and service entries along Victoria Street should be avoided if access to properties can be made through other properties. Where crossovers cannot be avoided, their width should be minimised and clear priority given to pedestrians on footpaths.

**Land Use**

- A mix of land uses, in accordance with the Framework Plan forming part of this policy is encouraged in the redevelopment of all sites within the Precinct, having regard to site constraints.
- Hospitality, entertainment and recreational uses, combined with office use, are encouraged east of Walmer Street
- Residential development above commercial uses at street and River levels north of Victoria Street is encouraged.
- Land use west of Walmer Street should not prejudice the operation of nearby industry and the CUB complex and that any new residential development west of Walmer Street should be required to incorporate appropriate acoustic measures.
- Land between Grosvenor and Walmer Streets should be re-developed for mixed use, with opportunity for residential uses and office uses at upper levels.
- The Burnley Street edge of the residential precinct should be consolidated by the provision of medium density housing.
- The residential edge of the river corridor should be consolidated south of Victoria Street Bridge.
- Uses which activate the Victoria Street, Burnley Street and River Corridor frontages at ground level are encouraged.

**Pedestrian and Cycle Routes**

- An integrated and improved network of pedestrian access routes should be provided within the Precinct with linkages both within and between sites.
- The northern Victoria Street footpath west of Walmer Street should be widened by setting any new building back from the existing property boundary to a new (recessed) property frontage, creating a colonnade within the existing building envelope or by other design features.
The pedestrian amenity of Walmer Street and safe access to the existing footbridge should be improved by creating a pedestrian plaza with access for bicycles.

Mid-block links should be provided through major redevelopment sites in the precinct, including through the Yarra Gardens precinct to connect the riverside paths west to Flockhart and Grosvenor Streets and south to Davison Street.

A link is provided between Grosvenor and Flockhart Streets through the site at 601 Victoria Street.

River Street should be extended to form a pedestrian connection linking Victoria Gardens with the area to the south.

A link from Appleton Street to the River corridor should be provided and a new footbridge should be provided to Mason Street, Hawthorn.

**Urban Design and Built Form**

- Built form does not unreasonably impact on the landscape within viewed from the River corridor and public access routes along the River corridor.

- The height of buildings on the Victoria Street frontage should respect the prevailing building height of the streetscape. The Victoria Street frontage is to be articulated as a number of separate buildings to avoid a continuous podium or building mass along the full frontage. The overall massing of buildings should provide separation to allow views of the River and landscaping amongst the buildings, inclusive of canopy trees.

- All buildings contribute to the public realm through the provision of active frontages, where appropriate, and high quality urban design and architecture with articulated building facades and upper level building setbacks. Windows should be incorporated at upper levels to encourage public surveillance.

- Buildings should be set back to maintain views to important landmarks such as views from Victoria Street footpath to the Skipping Girl sign and to preserve or create view lines to the River corridor.

- New development on Burnley should be designed so as to provide an appropriate transition in scale and massing, with upper level setbacks provided to minimise impacts on the amenity of adjacent lower-rise housing areas.

- Higher built form along Burnley Street that responds to the provisions of the Comprehensive Development Zone applying along the east side of Burnley Street may be supported and that the Burnley Street frontage should provide appropriate building articulation, addressing fenestration treatment, materials and colours.

- Emphasis should be given to protecting the operation and amenity of Williams Reserve, Annettes Place and the Yarraberg Child Care and Community Centre in the design and management of adjoining and nearby development.

- Taller building elements may be constructed, provided that an appropriate height transition is provided within the site to minimise impacts on the amenity of the surrounding area including through the overshadowing of public spaces.

- Built form in Commercial and Industrial interface areas responds to the strong urban and ex-industrial character of the area by maintaining the built form pattern of the locality which predominantly comprises zero front or side setbacks, except for interfaces with adjoining public spaces or the River corridor.

**Reference Document**

- Victoria Street East Precinct, Richmond Urban Design Framework, 16 November 2005
Map 1 Victoria Street East Precinct Framework Plan
PUBLIC OPEN SPACE CONTRIBUTION

This policy applies to all residential proposals, mixed use proposals incorporating residential uses and proposals incorporating residential subdivision.

Policy Basis

The MSS identifies the need for new residential development to contribute to the provision of public open space.

Public open space is highly valued within the City of Yarra and fulfils a wide range of functions. The importance of public open space in an inner city environment is heightened by the intensity of development and the limited availability of private open space.

Whilst the City includes a number of parks adjoining the Yarra River and the Merri and Darebin Creeks and the large historical gardens of Edinburgh and Darling Gardens, there are a number of areas with almost no public open space, including parts of Abbotsford, Collingwood, Fitzroy, North Fitzroy, Richmond and Cremorne.

The Yarra Open Space Strategy, 2006 (YOSS) identifies the unequal distribution of public open space across the City as one of the key issues that needs to be addressed in terms of public open space provision. Therefore in areas where substantial population increases are anticipated and where public open space is lacking, additional public open space will be needed. These areas have been identified in the YOSS and are shown at Map 1.

Public open space contributions from developers are one of a number of potential sources of resources for the acquisition of land for public open space and improvement of existing facilities.

Because public open space contributions can only be imposed at the subdivision stage, it is important for developers to ascertain at the site analysis stage of the design process whether any part of the site might be required for public open space purposes where the site:

- is in an area where a land contribution is preferred under Location in clause 22.12-3 or on Map 1.
- fits the Selection criteria for public open space in clause 22.12-3.

This will ensure that public open space requirements are identified and allowed for at the earliest possible time.

Objectives

- To implement the Yarra Open Space Strategy.
- To identify when and where land contributions for public open space are preferred over cash contributions.
- To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement.

Policy

It is policy that:

Location

Land contributions for public open space will be preferred over cash contributions within the following neighbourhoods as identified in Map 1:

- Abbotsford
- Collingwood
- Fitzroy
- North Fitzroy
- North Richmond
- Central Richmond
- Cremorne/ Richmond South

In all other areas of the municipality, a cash contribution equal to the amount specified in Clause 52.01 is required.

**Map 1 – Yarra Open Space Strategy 2006, Sub-precincts**

**Selection criteria for public open space**

In locations where a land contribution is preferred over a cash contribution, the following criteria will be used to determine whether any part of the land in a development proposal is appropriate to be contributed as public open space at the time of the subdivision of the land or building. Land to be contributed:

- Should have an area of about 300m² and a minimum width of 10m, or be able to meaningfully contribute to the assembly of a parcel of land of these dimensions or larger.

- Should be of a shape and size which will be adequate for the proposed use having regard to the nature of public open space in an inner city environment, or be able to meaningfully contribute to the assembly of a parcel of land with these attributes.
- Should be free of structures and protrusions, such as balconies or other building projections that may encroach into the public open space reserve, except for historic buildings or structures relating to the designated public open space use.

- Should be located or capable of being designed so as to be subject to a high degree of casual surveillance.

- Must be accessible.

- Should be visible from adjacent thoroughfares.

- Should receive reasonable sunlight between 9am and 2pm on September 22.

- Should be located away from major or secondary arterial roads.

- Should have an entry from a local street or be capable of being provided with such entry.

Where development is proposed in an area which, according to this policy has an identified need for additional public open space and the land or part of the land in the development generally meets criteria set out in this policy, then a land contribution is preferred over a cash contribution for the purposes of Clause 52.01 of the scheme.

**Design**

In locations where this policy has identified a preference for a land contribution rather than a cash contribution, an applicant should consult the responsible authority very early in the site analysis phase of a proposal to ascertain whether any part of the land might be suitable and required for public open space purposes.

The design of a building on land which will be required for public open space should accommodate the provision of public open space in a manner which meets the majority of the selection criteria for public open space as is reasonably practical.

If a contribution under Clause 52.01 is likely to be imposed as a land contribution, and the responsible authority is satisfied that an additional part of the land which generally meets the selection criteria for public open space in Clause 22.12-3 should be acquired, the responsible authority should consult with the applicant to determine whether the development application could be modified to enable provision of the additional land to Council at Council’s cost.

**Policy references**

*Yarra Open Space Strategy, 2006, Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd*

*Yarra Open Space Strategy: Open Space Contributions Program, October 2005, prepared for the City of Yarra by Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd*
RESIDENTIAL BUILT FORM POLICY

This policy applies to the Residential 1 Zone in areas not covered by a Heritage Overlay and refers to the Built Form Character Type as set out in the Built Form Character Maps in Clause 21.08.

Policy Basis

Yarra has a range of residential built form types. There are ‘urban’ residential areas that present uninterrupted terraced frontages to the street, often with little or no front setback. Other inner areas, while still predominantly small in lot size, present a more suburban appearance with modest front setbacks, often with cottage front gardens and small gaps between buildings. In Fairfield and Alphington, there is a more spacious, garden character, with generous front and side setbacks and large back yards, and a profusion of vegetation. The large public housing estates provide a contrasting built form character of apartment buildings set in landscaped grounds.

These residential areas represent a highly valued aspect of Yarra's inner city location both in terms of the built form of the areas and the associated community life.

The policy addresses built form issues that are referred to in Clause 19.03 of the State Planning Policy Framework and builds on the MSS objectives relating to maintaining and reinforcing the preferred character of residential areas.

Council has undertaken a built form study to determine desirable built form outcomes for all areas of the Municipality that are not covered by the Heritage Overlay. Under the Study, built form is related to the main structural elements of the City, being the Yarra River Corridor, the Residential Areas, the Non Residential Areas and the Transport Corridors. This policy addresses built form in the Residential Areas and is one of a series of controls which implements the findings of the Study.

Based on survey, the Residential Areas are categorised into the built form character types listed below. The locations of these areas are set out in the Built Form Character maps in Clause 21.08 – Neighbourhoods.

Built Form Character Type

- Garden Suburban Residential
- Inner Suburban Residential
- Urban Residential
- Residential in Grounds (Public Housing Estates)

Objectives

- To limit the impact of new development on surrounding land, particularly on low rise residential areas.
- To respond to and strengthen the distinct character of different parts of Yarra.

Policy

It is policy that development within each of the character types responds positively to the matters set out in Clauses 22.12-3.1 to 22.12-3.4 referable to the location of the development.

Garden Suburban Residential

*Residential areas with spacious garden settings and generous setbacks and spaces between buildings.*
Design Response

- Maintain the existing pattern of front setbacks.
- Landscape the front setback in a style that reinforces the garden character of the streetscape.
- Provide a setback on at least one side of the building.
- Where the general pattern of development includes side setbacks on both sides of buildings, replicate this characteristic.
- Orient buildings at right angles to the street frontage, unless the pattern of development is to site buildings at an angle.
- Provide front fencing that matches the character of the fencing in the street (eg with an open fence or a very low, solid fence).
- Maintain the existing scale of development, which is generally one or two storeys.
- On single house sites in areas with generally consistent building heights, limit variations in height to a maximum of one storey compared to the adjacent properties.
- Accommodate second storey extensions, or second storeys of new buildings, within an envelope that maintains the low, horizontal form of existing dwellings.
- Retain sufficient open space in the backyard to plant a tree with a high and spreading canopy.

22.13-3.2 Inner Suburban Residential

*Built form dominated residential areas with small gardens (if any) and minimal front and side setbacks.*

Design Response

- Maintain the existing pattern of front setbacks.
- Landscape the front setback in a style that reinforces the garden character (if any) of the streetscape.
- Where the general pattern of development includes gaps between buildings, include a setback on at least one side of the building.
- Orient buildings at right angles to the street frontage.
- Provide front fencing that is open (unless the building is zero front setback).
- On single house sites in areas with generally consistent building heights, limit variations in height to a maximum of one storey compared to the adjacent properties.

22.13-3.3 Urban Residential

*Built form dominated residential areas with mostly no front and side setbacks.*

Design Response

- Maintain the existing pattern of front setbacks (zero front setback often includes ground floor verandah insets).
- Where the general pattern of development includes gaps between buildings, include a setback on at least one side of the building.
- Orient buildings at right angles to the street frontage.
- On single house sites in areas with generally consistent building heights, limit variations in height to a maximum of one storey compared to the adjacent properties.
22.13-3.4 Residential in Grounds (Public Housing Estates)

Separate enclaves of residential development set in extensive grounds.

Design Response

- Re-connect former public streets through the estate, where safe and practicable.
- Redevelop public street frontages with buildings that address the street, including locating front doors and mail boxes on the street frontage where possible.
- Overlook the street with windows and attractively designed building frontages.
- Maintain line of sight between windows and the street.
- Use front fences that allow views into the site from the street.
DEVELOPMENT GUIDELINES FOR HERITAGE PLACES IN THE WORLD HERITAGE ENVIRONS AREA

This policy applies to all land covered by the Heritage Overlay within the World Heritage Environs Area (WHEA) Area of Greater Sensitivity as shown in Figure 1.

Specifically, this policy applies to land within HO361 (World Heritage Environs Area Precinct). The policy outlined in Clause 22.02 of the Yarra Planning Scheme also applies.

Figure 1

Policy Basis
The MSS highlights the importance of the WHEA in providing a buffer zone for the World Heritage Listed Royal Exhibition Building and Carlton Gardens. The WHEA provides a setting and context of significant historic character for the World Heritage property.
Objectives

- To protect significant views and vistas to the Royal Exhibition Building and Carlton Gardens.
- To maintain and conserve the significant historic character (built form and landscapes) of the area.
- To ensure new development in the area has regard to the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

Policy

It is policy to:

- retain and conserve individually significant and contributory places, including contributory fabric, form, architectural features and settings, to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- retain and conserve the valued heritage character of streetscapes to assist with maintaining the heritage character of the setting and context of the Royal Exhibition Building and Carlton Gardens.
- retain the predominantly lower scale form of development which provides a contrast to the dominant scale and form of the Royal Exhibition Building.
- avoid consolidation of allotments in residential areas which will result in the loss of evidence of typical nineteenth century subdivision and allotment patterns.
- protect direct views and vistas to the Royal Exhibition Building and Carlton Gardens from bordering/abutting streets and other views and vistas to the dome available from streets within the precinct including Gertrude Street, Marion Lane and in Victoria Parade immediately east of the junction with Nicholson Street.
- discourage the introduction and proliferation of permanent structures and items such as shelters, signage (other than for historic interpretation purposes), kiosks and the like around the perimeter of the Royal Exhibition Building and Carlton Gardens in order to:
  - avoid impacts on the presentation of the Royal Exhibition Building and Carlton Gardens, including impacts on axial views along treed alleys and avenues; and
  - minimise inappropriate visual clutter around the perimeter of the Royal Exhibition Building and Carlton Gardens.

References

“World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens”, Department of Planning and Community Development, 2009
GAMING POLICY

This policy applies to all applications which require a permit to install or use a gaming machine, or use land for the purpose of gaming under clause 52.28.

Policy Basis

Clause 52.28 of the Yarra Planning Scheme requires a planning permit be granted to use or install electronic gaming machines (EGMs). This policy will guide decision making by implementing the findings of the Yarra City Council Gaming Policy Framework.

The policy is based on an understanding that there are links between disadvantage, problem gambling and proximity to gaming venues. The Yarra City Council Gaming Policy Framework seeks to limit convenient access to gaming venues as a means to reducing negative impacts of gambling on vulnerable communities.

The policy implements the objectives and strategies of the Municipal Strategic Statement by ensuring that gaming machines do not cause a negative impact, and has its basis in the SEIFA Index of Relative Disadvantage in determining appropriate locations for gaming machines in the City of Yarra.

Objectives

- To discourage the location of gaming machines in disadvantaged areas.
- To ensure that the location of gaming machines and the design of gaming machine venues minimises the risks associated with electronic gaming and avoid exacerbating problem gambling.
- To discourage convenience gaming and limit impacts on surrounding uses.
- To ensure applications for gaming deliver a net community benefit in Yarra.

Policy

It is policy to ensure proposals for gaming machines deliver a net community benefit.

Assessment of net community benefit

In determining whether there will be an overall net community benefit of the gaming application the responsible authority will assess its positive and negative implications in relation to the following:

- The socio-economic profile and patron catchment of the area within 1km of the venue.
- Location of the venue in relation to nearby land uses and transport facilities;
- The availability of other entertainment and recreation facilities within 1km of the venue and at the venue.
- The social and economic impacts of the proposal.
- The distribution and density of gaming machines in the neighbourhood and municipality.
- If the gaming machines are to be relocated from within the municipality, the comparative advantages and disadvantages of the two locations.

Location criteria

It is policy to locate gaming machines in accordance with the following criteria.

Gaming machines should not be located:

- In areas where gaming is discouraged as shown on Map 1 to this policy.
- In or immediately opposite neighbourhoods with a relatively high concentration of gaming machines (above the Victorian average).
Where there is convenient access to places of high pedestrian activity, including shops and railway stations.

Where the local community will not have a reasonable choice of alternative non-gambling activities either within the venue, or in close proximity to the venue.

**Venue characteristics/appropriate venues**

It is policy to ensure that gaming machines are located in venues which:

- Offer social, entertainment and recreational opportunities and activities other than gaming as the primary purpose of the venue.
- Have a gaming floor area of less than 25% of the total floor area of the venue.
- Promote responsible gaming practices.
- Do not allow for 24 hour-a-day operation.

It is policy to ensure that the operations of gaming venues and associated uses do not detrimentally affect the amenity of the surrounding area through their:

- Operating hours.
- Management of patrons.
- Generation of noise and disturbance.

**Application requirements**

It is policy to require applications to include:

- The proposed design and layout of the premises including all signage.
- A venue management plan identifying strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the applicant’s responsible gaming practices. Evidence of compliance with the relevant gaming regulations for premises layout and design
- An assessment of the social and economic benefits and disadvantages of the proposed gaming machines comprising:

**Socio-economic impact**

- An analysis of the venue’s projected patron catchment and its socio-economic profile. The analysis should include justification and details of the projected catchment area.
- If it is proposed to move EGMs from one part of the municipality to another, details of the relative social and economic differences between the two areas. An explanation as to why the EGMs are being transferred is to be provided.

**Location assessment**

- Characteristics of the local area including the location of and distance to shopping complexes and strip shopping centres, community facilities, public housing, counselling services and public transport.
- Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within 1km of the venue.
- If required, pedestrian counts outside the venue.

**Gaming machine impacts**

- Details about the existing and proposed distribution and density of EGMs in the municipality and its neighbourhoods.
- Details of existing gaming expenditure at the venue over a 3 year period prior to the application (if relevant) and a one year forecast of the anticipated expenditure at the venue if the proposal was to be approved.

- If EGMs are to be relocated from other venues, and as a result gaming expenditure is likely to be transferred from other venues:
  - particulars as to how the level of transfer has been calculated (including, but not limited to, comparison per machine expenditure at the venue prior to and then after the additional machines, current usage levels of machines at the venue, projected usage level of machines at the venue after the additional machines);
  - the amount of transfer expenditure anticipated;
  - the resulting impact on revenue of the venue from where the expenditure is transferred; and
  - the resulting impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, impact on ability to provide services etc).

**Benefits**

- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community.

**Analysis**

- Assessment of key social and economic issues and overall net community impact.
- Measures to mitigate any negative impacts.

**Decision Guidelines**

Before deciding on an application, the responsible authority will consider as appropriate:

- Whether the proposal increases EGM densities in the neighbourhood and how that increase affects the local community and compares with the metropolitan Melbourne average.
- The net community benefit to be derived from the application.
- Whether approval is likely to increase the socio-economic disadvantage of the local community.
- Whether the location of the gaming machines or gaming premises is close to places of community congregation and will encourage convenience gaming.
- Whether patrons will have a choice of non-gambling entertainment and recreation activities at the venue or within the local area.
- The impact of the proposal on the amenity of the area and surrounding land uses.

**References**

Coomes Consulting Group, Yarra City Council Gaming Policy Framework, 2008
22.16

STORMWATER MANAGEMENT (WATER SENSITIVE URBAN DESIGN)

This policy applies to applications for:

- New buildings
- Extensions to existing buildings which are 50 square metres in floor area or greater.
- A subdivision in a business zone

This policy does not apply to an application for:

- A subdivision of an existing building.

22.16-1

Policy Basis

Increased development can result in greater hard surface area and changes to the volume, velocity and quality of stormwater drainage into natural waterways.

Achieving improved stormwater quality is a key objective in reducing the environmental impact of urban development on waterways and receiving water bodies in the Port Phillip catchment, this policy implements the best practice performance objective outlined in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended) to achieve the objectives of the State Environment Protection Policy (Water of Victoria).

Waterways are an important environmental asset and measures that protect, or improve, water quality will be of significant benefit environmentally, socially and economically.

Incorporating stormwater treatment measure into the design of development, including wetlands, bio-retention systems and porous pavements to filter pollutants, will help to protect and improve the condition of the natural waterways and passively irrigate urban vegetation.

Water sensitive urban design (WSUD) is the design of buildings, subdivisions and works to minimise the hydrological impact of urban development on the surrounding environment. WSUD provides the means for treating stormwater run-off in a variety of ways so that the flow is reduced, and the quality of run-off is improved. Stormwater management can take various forms in the urban environment including infrastructure upgrades, streetscape layout changes, piping reconfigurations, storage tanks, and the use of different paving.

22.16-2

Objectives

- To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended). Currently, these water quality performance objectives require:
  - Suspended Solids - 80% retention of typical urban annual load
  - Total Nitrogen - 45% retention of typical urban annual load
  - Total Phosphorus - 45% retention of typical urban annual load
  - Litter - 70% reduction of typical urban annual load

- To promote the use of water sensitive urban design, including stormwater re-use.

- To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.

- To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.

- To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well being.
**Policy**

It is policy to:

- Require that development applications provide for the achievement of the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended)

- Require the use of stormwater treatment measures that improve the quality and reduce the flow of water discharged to waterways. This can include but is not limited to:
  - collection and reuse of rainwater and stormwater on site
  - vegetated swales and buffer strips
  - rain gardens
  - installation of water recycling systems
  - multiple uses of water within a single manufacturing site
  - direction of flow from impervious ground surfaces to landscaped areas.

- Encourage the use of measures to prevent litter being carried off-site in stormwater flows, including:
  - appropriately designed waste enclosures and storage bins, and
  - the use of litter traps for developments with the potential to generate significant amounts of litter.

- Encourage the use of green roofs, walls and facades on buildings where practicable (to be irrigated with rainwater/stormwater) to enhance the role of vegetation on buildings in managing the quality and quantity of stormwater.

**Application requirements**

An application must be accompanied by a Water Sensitive Urban Design Response including, as appropriate:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Detail Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>A site layout plan showing the location of proposed stormwater treatment measures.</td>
<td>Show location, area draining to a treatment measure, and the connection points, of any:</td>
</tr>
<tr>
<td></td>
<td>- Harvesting and Reuse Measures: such as raingarden tanks (must identify what the tank is connected to; toilets, gardens etc).</td>
</tr>
<tr>
<td></td>
<td>- Water Quality Treatment Measures: such as raingardens, wetlands, buffers and swales.</td>
</tr>
<tr>
<td></td>
<td>- Infiltration Measures: such as porous paving and infiltration trenches/sumps.</td>
</tr>
<tr>
<td></td>
<td>- Passive Irrigation Measures: such as directing runoff into gardens.</td>
</tr>
<tr>
<td>A report outlining how the application achieves the objectives of this policy.</td>
<td>A report including an assessment from an industry accepted performance measurement tool such as STORM or MUSIC (or equivalent).</td>
</tr>
<tr>
<td><strong>Design details.</strong> such as cross sections, to assess the technical effectiveness of the proposed stormwater treatment measures.</td>
<td>Design details as appropriate to the stormwater treatment measure proposed.</td>
</tr>
</tbody>
</table>
A statement is required outlining construction measures to prevent litter, sediments and pollution entering stormwater systems.

A statement is required outlining operational and maintenance measures to check the effective operation of all systems.

If the water quality performance objectives set out in the *Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999* (or as amended) are not met, an application must include justification for how the development meets the objectives of this policy.

### Decision guidelines

Before deciding on an application, the responsible authority will consider, as appropriate:

- The extent to which the development meets the objectives and requirements of this policy
- The Water Sensitive Urban Design Response
- Whether the application meets the best practice performance objective and treatment measures.
- Whether the proposal is designed and incorporates works to maintain, or improve, the quality of stormwater within or exiting the site.
- Whether the proposal will significantly add to the stormwater discharge or adversely affect water quality entering the drainage system.
- Opportunities for water conservation and reuse that influence the use of water sensitive urban design.
- The level of ongoing management required to achieve and maintain the desired stormwater quality measures that will be used during the construction phase to prevent a loss of stormwater quality as a result of building activities, such as silt traps.

### Reference documents

- State Environment Protection Policy (Waters of Victoria), Environment Protection Authority, 2003 (as amended from time to time).
- Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (as amended from time to time).
- STORM calculator (as amended from time to time).
- MUSIC – model for urban stormwater improvement conceptualisation tool (as amended from time to time).

### Expiry

This policy will expire when superseded (as determined by the Minister for Planning) by Water Sensitive Urban Design provisions in the Victoria Planning Provisions or the Building Code of Australia Regulations, whichever happens first.
ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

This policy applies throughout the City of Yarra to residential and non-residential development that requires a planning permit in accordance with the thresholds in Table 1 of this Policy.

Policy Basis

This policy builds on and implements the sustainability objectives and strategies expressed in Clause 21.07 of the MSS relating to sustainable design and development.

The City of Yarra is committed to creating an environmentally sustainable, economically sound and socially inclusive city. Critical to achieving this commitment is for development to meet appropriate environmental design standards.

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 toxic 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 promote 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.

It is policy that applications for larger non-residential developments (as specified in Table 1) be accompanied by a Green Travel Plan.

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>Accommodation/Mixed Use with residential component of:</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 between 100m² and 1000m².</td>
<td>STORM</td>
<td></td>
</tr>
<tr>
<td>Development of 10 or more dwellings.</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 of more than 1000m².</td>
<td>Green Star</td>
<td>MUSIC</td>
</tr>
<tr>
<td>Non-residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development of a non-residential building with a gross floor area between 100m² and 1000m².</td>
<td>Sustainable Design Assessment (SDA)</td>
<td>BESS</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 more than 1000m².</td>
<td>Sustainability Management Plan (SMP) Green Travel Plan (GTP)</td>
<td>Green Star BESS MUSIC 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 alterations 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.

### 22.17-5

**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).

### 22.17-6

**Reference Documents**

**BESS (Built Environment Sustainability Scorecard)** 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


**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.

### 22.17-7

**Commencement**

The ESD Application Requirements in Table 1 do not apply to applications received by the responsible authority before the gazette 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.
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>

YARRA PLANNING SCHEME
### 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) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
</tbody>
</table>
Use

Materials recycling
Transfer station
Stone extraction

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></td>
<td>- The area of either lot is reduced by less than 15 percent.</td>
</tr>
<tr>
<td></td>
<td>- The general direction of the common boundary does not change.</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.

Subdivide land into 2 lots if:
- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Construction and extension of one dwelling on a lot

**Permit requirement**

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application | 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.
Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
</tr>
<tr>
<td>• A10 Side and rear setbacks.</td>
</tr>
<tr>
<td>• A11 Walls on boundaries.</td>
</tr>
<tr>
<td>• A12 Daylight to existing windows.</td>
</tr>
<tr>
<td>• A13 North-facing windows.</td>
</tr>
<tr>
<td>• A14 Overshadowing open space.</td>
</tr>
<tr>
<td>• A15 Overlooking.</td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

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32.04-6
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.

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

• An application for a planning permit lodged before that date.

• An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

### Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

### Residential aged care facility

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

### Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### 32.04-10

**Buildings on lots that abut another residential zone**

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

### 32.04-11

**Maximum building height requirement**

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review

Subdivision

An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

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.

YARRA MIXED USE AREAS

1.0 Objectives

None specified.

2.0 Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement

None specified.

4.0 Exemption from notice and review

None specified.

5.0 Application requirements

None specified.

6.0 Decision guidelines

None specified.
GENERAL RESIDENTIAL ZONE
Shown on the planning scheme map as GRZ, R1Z, R2Z or R3Z with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage development that respects the neighbourhood character of the area.
To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives
A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</tbody>
</table>
## Use

### Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential aged care facility</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td>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>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</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

- Amusement parlour
- Animal production (other than Grazing animal production)
- Animal training
- Brothel
- Cinema based entertainment facility
- Domestic animal boarding
- Horse husbandry
- Industry (other than Car wash)
- Motor racing track
- Nightclub
- Office (other than Medical centre)
- Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
- Saleyard
- Stone extraction
- Transport terminal
- Warehouse (other than Store)

### Subdivision

#### Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>
Construction or extension of a dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>• Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>• Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>– A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>– A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>– A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>– A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>– A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>– A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. Clause 59.03

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

• Construct a dwelling if there is at least one dwelling existing on the lot.
• Construct two or more dwellings on a lot.
• Extend a dwelling if there are two or more dwellings on the lot.
• Construct or extend a dwelling if it is on common property.
• Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

• The fence is associated with 2 or more dwellings on a lot or a residential building, and
• The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

**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.

WAREHOUSE SITES

1.0 Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 m² and 500 m²?

Yes

2.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>80%</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or residential building must not exceed a height of 10.5 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 it must not exceed a height of 11.5 metres.

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.
- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

A lift overrun may exceed the abovementioned mandatory height requirements by no more than 1.5 metres.

4.0 Application requirements

None specified
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme:

- Whether a loss of amenity would result in varying the requirements of part 2.0 of this schedule.
- The amenity impact on surrounding land uses.
- Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 11.5 metres.
- Whether subdivision will result in development which is not 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.

Transitional provisions

Schedule 1 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 1 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ2.

RESIDENTIAL AREAS

1.0

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 m² and 500 m²?

Yes

2.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or residential building must not exceed the height of 9 metres.

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.
- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

4.0

Application requirements

None specified

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme:

- Whether a loss of amenity would result in varying the requirements of part 2.0 of this schedule.
- The amenity impact on surrounding land uses.
Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 9 metres.

Whether subdivision will result in development which is not 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.

**Transitional provisions**

Schedule 2 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 2 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ3.

OFFICE OF HOUSING SITES OVER 2500SQM & SELECTED MAIN ROAD SITES.

1.0

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 m\(^2\) and 500 m\(^2\)?

Yes

2.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17 and B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement for a dwelling or residential building

None specified

4.0

Application requirements

None specified

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme:

- Whether a loss of amenity would result in varying the requirements of part 2.0 of this schedule.
- The amenity impact on surrounding land uses.
- Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 9 metres.
- Whether subdivision will result in development which is not 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.
Transitional provisions

Schedule 3 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 3 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ4.

MAIN ROAD SITES AND AREAS

1.0

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 m$^2$ and 500 m$^2$?

Yes

2.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or residential building must not exceed the height of 11.5 metres. 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.
- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

4.0

Application requirements

None specified

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme:

- Whether a loss of amenity would result in varying the requirements of part 2.0 of this schedule.
- The amenity impact on surrounding land uses.
Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 11.5 metres.

Whether subdivision will result in development which is not 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.

Transitional provisions
Schedule 4 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 4 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas of predominantly single and double storey residential development.
To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</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 be located in an existing building.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
</tbody>
</table>
### Condition of Use

#### Residential aged care facility

- Must meet the requirements of Clause 52.23-2.

#### Rooming house

- Must meet the requirements of Clause 62.01.

### 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>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 62.01.</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>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
# YARRA PLANNING SCHEME

## Condition

The site must not exceed either:
- 3000 square metres.
- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.

## Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<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

### 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.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<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>
### Class of application

<table>
<thead>
<tr>
<th>Subdivide land into 2 lots if:</th>
<th>Clause 59.02</th>
</tr>
</thead>
<tbody>
<tr>
<td>● The construction of a building or the construction or carrying out of works on the land:</td>
<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 on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

---

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.
A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Meets the minimum garden area requirement of Clause 32.09-4.</td>
<td></td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
• Construct two or more dwellings on a lot.
• Extend a dwelling if there are two or more dwellings on the lot.
• Construct or extend a dwelling if it is on common property.
• Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:
• The fence is associated with 2 or more dwellings on a lot or a residential building, and
• The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

• An application for a planning permit lodged before that date.
• An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

• Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
• Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>• The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>• A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>• A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>• A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>• A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>• A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>• A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.09-10

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

• exceeds the maximum building height specified in a schedule to this zone; or

• contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

• the building height must not exceed 9 metres; and

• the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

• It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.

• There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### 32.09-11

**Application requirements**

An application must be accompanied by the following information, as appropriate:

- For a residential development, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses, including siting and dimensioned setbacks.
  - The building form and scale.
  - Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development

In the local neighbourhood context:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
**Transitional provisions**

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.

- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

YARRA RESIDENTIAL AREAS

1.0

Minimum subdivision area

None specified

2.0

Permit requirement for the construction or extension of one dwelling on a lot

<table>
<thead>
<tr>
<th>Permit requirement for the construction or extension of one dwelling on a lot</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street on a lot</td>
<td>500 square metres</td>
</tr>
</tbody>
</table>

3.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Minimum street setback</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<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 and B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Number of dwellings on a lot

The number of dwellings on a lot must not exceed 5

5.0

Maximum building height requirement for a dwelling or residential building

None specified

6.0

Application requirements

None specified

7.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- Whether a loss of amenity would result in varying the requirements of part 3.0 of this schedule.
- Whether a subdivision proposal has sufficient land area and minimum dimensions to be in keeping with the surrounding subdivision and development patterns.
- Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 8 metres (where permitted).

- 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.
SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ2.

ALPHINGTON FAIRFIELD AREA INCLUDING YARRA RIVER CORRIDOR

1.0

Minimum subdivision area

None specified

2.0

Permit requirement for the construction or extension of one dwelling on a lot

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement for the construction or extension of one</td>
<td>500 square</td>
</tr>
<tr>
<td>dwelling on a lot</td>
<td>metres</td>
</tr>
<tr>
<td>Permit requirement to construct or extend a front fence within</td>
<td>500 square</td>
</tr>
<tr>
<td>3 metres of a street on a lot</td>
<td>metres</td>
</tr>
</tbody>
</table>

3.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Number of dwellings on a lot

None specified

5.0

Maximum building height requirement for a dwelling or residential building

None specified

6.0

Application requirements

None specified

7.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- Whether a loss of amenity would result in varying the requirements of part 3.0 of this schedule.
- Whether a subdivision proposal has sufficient land area and minimum dimensions to be in keeping with the surrounding subdivision and development patterns.
- Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 8 metres (where permitted).

- 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.
SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ3.

20 COATE AVENUE ALPHINGTON

1.0

 Minimum subdivision area

 None specified

2.0

 Permit requirement for the construction or extension of one dwelling on a lot

<table>
<thead>
<tr>
<th>Permit requirement for the construction or extension of one dwelling on a lot</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street on a lot</td>
<td>500 square metres</td>
</tr>
</tbody>
</table>

3.0

 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Minimum street setback</th>
<th>Standard</th>
<th>Requirement</th>
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</thead>
<tbody>
<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>

4.0

 Number of dwellings on a lot

 The number of dwellings on a lot must not exceed 10

5.0

 Maximum building height requirement for a dwelling or residential building

 None specified.

6.0

 Application requirements

 None specified

7.0

 Decision guidelines

 The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- Whether a loss of amenity would result in varying the requirements of part 3.0 of this schedule.
- Whether a subdivision proposal has sufficient land area and minimum dimensions to be in keeping with the surrounding subdivision and development patterns.
Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 8 metres (where permitted).

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.
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>Shipping container storage</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td>Warehouse (other than Mail centre and Shipping container storage)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
</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 of land

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
• Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

• A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.

• A building or works which are used for crop raising or informal outdoor recreation.

• A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

• A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>• Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>• Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

• A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveways and vehicle parking and loading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
## SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as IN3Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. 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. 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>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>Take away food premises</td>
<td></td>
</tr>
<tr>
<td>Tramway</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 |
| Any use listed in Clause 62.01                 | Must meet the requirements of Clause 62.01.                                                                                                                                                               |
| Section 2 - Permit required                   |                                                                                                                                                                                                          |
| Use                                           | Condition                                                                                                                                                                                                 |
| Adult sex product shop                        | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. |
| Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) |                                                                                                                                                                                                          |
| Caretaker's house                             | Must not be a primary or secondary school.                                                                                                                                                              |
| Education centre                              |                                                                                                                                                                                                          |
| Industry (other than Service industry)        |                                                                                                                                                                                                          |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track) |                                                                                                                                                                                                          |
## 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.

### Condition

**Office**

The leasable floor area must not exceed the amount specified in the schedule to this zone.

**Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)**

**Restricted retail premises**

**Retail premises (other than Shop and Take away food premises)**

**Utility installation (other than Minor utility installation and Telecommunications facility)**

**Any other use not in Section 1 or 3**

### Section 3 - Prohibited

**Use**

- Accommodation (other than Caretaker’s house)
- Cinema based entertainment facility
- Hospital
- Intensive animal production
- Major sports and recreation facility
- Motor racing track
- Pig farm
- Poultry farm
- Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met
- Supermarket – if the section 1 conditions are not met
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

- The effect that nearby industries may have on the proposed use.

- The drainage of the land.

- The availability of and connection to services.

- The effect of traffic to be generated on roads.

- The interim use of those parts of the land not required for the proposed use.

- The effect on nearby industries.

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into lots each containing an existing building or car parking space where: | Clause 59.02 |
<table>
<thead>
<tr>
<th></th>
<th></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

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Clause 59.02

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
## SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
COMMERICAL 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,</td>
<td>Any frontage at ground floor level must not exceed 2 metres (other than</td>
</tr>
<tr>
<td>Corrective institution and Rooming house)</td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>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>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail premises (other than Shop)</td>
<td>Any frontage at ground floor level must not exceed 2 metres.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
</tbody>
</table>
Use

Major sports and recreation facility
Motor racing track

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works.
This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building 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, continues to apply to:

- An application for a planning permit lodged before that date.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
<th>Maximum leasable floor area (m²) for shop (other than restricted retail premises)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
COMMERCIAL 2 ZONE

Shown on the planning scheme map as B3Z, B4Z or C2Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres. The site must adjoin, or have access to, a road in a Road Zone. Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Mail centre)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>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><strong>Accommodation (other than Caretaker’s house and Residential hotel)</strong></td>
</tr>
<tr>
<td><strong>Animal production (other than Grazing animal production)</strong></td>
</tr>
<tr>
<td><strong>Hospital</strong></td>
</tr>
<tr>
<td><strong>Major sports and recreation facility</strong></td>
</tr>
<tr>
<td><strong>Motor racing track</strong></td>
</tr>
</tbody>
</table>

**Use of land**

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

**Subdivision**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
</tbody>
</table>
### 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>

#### Clause 59.02

Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

#### Clause 59.02

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Buildings and works

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building 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.

### 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>
<tr>
<td>Class of application</td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td>Used for a Brothel or Adult sex product shop.</td>
</tr>
</tbody>
</table>

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Application requirements**

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.

- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Building and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.

- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

34.02-6

31/07/2018
VC148

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

31/07/2018
VC148

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

Subdivision

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
PUBLIC USE ZONE

Shown on the planning scheme map as PUZ with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

**Application requirements**

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**Permit not required**

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

**Table of public land use**

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

**Signs**

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
### SCHEDULE TO THE PUBLIC USE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
</table>
| Land described as part of the former Fairfield Hospital, being part of Crown Allotment 133G, Parish of Jika Jika, situated in Yarra Bend Road, Fairfield as depicted on the plan titled “Victorian Institute of Forensic Psychiatry Location Plan”. | No permit is required to use or develop or to construct buildings and works on the land to which this clause applies for the purposes of the Victorian Institute of Forensic Psychiatry Concept Plan January 1997. | Before any use commences or any buildings or works are constructed, an Overall Development Plan generally in accordance with the Victorian Institute of Forensic Psychiatry Concept Plan January 1997 must be approved by the responsible authority. The Overall Development Plan must comprise the following elements:  
- a Building Development Plan;  
- a Landscape Management Plan;  
- a Drainage Management Plan; and  
- a Traffic and Car Parking Management Plan. The Overall Development Plan must show, on the appropriate plan, the following:  
- elevations showing the location (excluding internal layout), type, design, height, colour, and materials of all buildings and works;  
- existing and proposed landscaping within and adjoining the boundaries of the land including the AIDS memorial garden together with arrangements for ongoing maintenance and management of landscape areas external to the land;  
- the provision of a minimum of 150 car parking spaces, access and loading/unloading areas;  
- the provision of a contingency area for overflow parking if required;  
- any staging of buildings and works;  
- the location, height, colour and materials of the external security wall;  
- the location of lighting including all security lighting fixtures and a statement of lighting intensity;  
- the location, height, colour and materials of perimeter fencing; and  
- proposed drainage facilities, within the site and on adjoining land.  
Any of the plans comprising the Overall Development Plan may be amended to the satisfaction of the responsible authority after the Overall Development Plan has been approved. In deciding whether or not to approve any plan or any amendment to a plan forming part of the Overall Development Plan, the responsible authority:  
- must consider and have regard to relevant policy document relating to the development and  

Public land  |  Use or development  |  Conditions
---|---|---
  |  |  
  |  | • must consider the views of Yarra City Council; and
  |  | • must consider the views of the Yarra Bend Park Trust
  |  | in relation to the Landscape Management Plan and
  |  | drainage and traffic matters.
  |  | All buildings and works must be undertaken generally in
  |  | accordance with the approved Overall Development Plan
  |  | to the satisfaction of the responsible authority.
  |  | No permit is required for the demolition or alteration of any
  |  | buildings or works on the land to which this clause refers.

<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 costeaming 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>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 CONSERVATION AND RESOURCE ZONE

Shown on the planning scheme map as PCRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.

To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.

To provide for appropriate resource based uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boat launching facility</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
</tr>
<tr>
<td>Kiosk</td>
<td></td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td>Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.</td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency services facility</td>
<td>Must not be located on land reserved under the National Parks Act 1975.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be located on land described in a schedule to the National Parks Act 1975. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

Use

The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, the Crown Land (Reserves) Act 1978, or the Road Management Act 2004.
- Subdivide land.

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</td>
<td>Any other use not in Section 1 or 3</td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
SPECIAL USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

| Any other use not in Section 1 or 3 of the schedule to this zone |

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.
Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>-- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>-- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement
A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column I is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions
Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements
An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review
The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.
Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
### SCHEDULE 1 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1**

**LATROBE GOLF COURSE - FARM ROAD, ALPHINGTON**

**Purpose**

To recognise use of the land as a private golf course and ancillary purposes.

### 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>Agriculture</td>
<td></td>
</tr>
<tr>
<td>Education Centre</td>
<td></td>
</tr>
<tr>
<td>Home Occupation</td>
<td></td>
</tr>
<tr>
<td>Mineral Exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2</td>
</tr>
<tr>
<td>Minor sports and Recreational facility (other than restricted recreation facility)</td>
<td></td>
</tr>
<tr>
<td>Minor utility Installation</td>
<td></td>
</tr>
<tr>
<td>Office (except Real Estate Agency and Travel Agent)</td>
<td>If ancillary to a Golf course and not greater than 100 square metres in floor area</td>
</tr>
<tr>
<td>Place of Assembly (except Amusement Parlour, Cinema, Drive- in Theatre, Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for Stone</td>
<td>Must not be costeaning or bulk sampling</td>
</tr>
<tr>
<td>Shop</td>
<td>If ancillary to a Golf course and not greater than 100 square metres in floor area</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Park</td>
<td></td>
</tr>
<tr>
<td>Convenience Shop</td>
<td></td>
</tr>
<tr>
<td>Any other use that is not within Section 1 or 3 of the Schedule to this Zone</td>
<td></td>
</tr>
</tbody>
</table>

#### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation</td>
<td></td>
</tr>
</tbody>
</table>
Use of land

Amenity of the neighbourhood
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.

Application requirements
An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- Maintenance of areas not required for immediate use.

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 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
No specific requirements
4.0 Buildings and works

Before deciding on any application the responsible authority must consider:

- The provision of land for landscaping and beautification.
- The effect of the proposed buildings and works on the amenity of the neighbourhood.

5.0 Advertising signs

No specific requirements
SCHEDULE 2 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2.

ST HELIERS STREET, ABBOTSFORD

Purpose

To ensure the use and development of the land recognises and retains the environmental, historical and cultural values of the site.

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>Agriculture</td>
<td></td>
</tr>
<tr>
<td>Education Centre</td>
<td></td>
</tr>
<tr>
<td>Home Occupation</td>
<td></td>
</tr>
<tr>
<td>Institutional Home</td>
<td></td>
</tr>
<tr>
<td>Minor Sports and Recreation Facility</td>
<td></td>
</tr>
<tr>
<td>Place of Worship</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Road</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>Tramway</td>
<td></td>
</tr>
<tr>
<td>Search for Stone</td>
<td>Must not be costeaming 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>Attendance Centre</td>
<td></td>
</tr>
<tr>
<td>Car Park</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation</td>
</tr>
<tr>
<td>Adult Sex Bookshop</td>
</tr>
<tr>
<td>Amusement Parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Hotel</td>
</tr>
<tr>
<td>Industry</td>
</tr>
</tbody>
</table>
Use

Major Utility Installation
Market
Motor Racing Track
Motor Sales
Motor Repairs
Office with floor area exceeding 500m²
Petrol station
Restricted Retail Premises
Research and development enterprise
Shop
Warehouse

2.0
30/03/2006
C78

Use of land

Amenity of the neighbourhood
- 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.

Application requirements
An application to use land must be accompanied by the following information, as appropriate:
- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- Maintenance of areas not required for immediate use.

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 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.

3.0
30/03/2006
C78

Subdivision
No specific requirements.
4.0

Buildings and works

Before deciding on any application the responsible authority must consider:

- The appearance of new buildings and works.
- The impact on buildings and/or landscape features included in the Heritage Register.
- The effect of the proposed buildings and works on the amenity of the neighbourhood.

5.0

Advertising signs

No specific requirements
SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ3.

ALPHINGTON GRAMMAR SCHOOL - OLD HEIDELBERG ROAD, ALPHINGTON

Purpose
To provide for the use and development of the privately owned Alphington Grammar School.
To encourage the orderly planning and development of the facility in a manner which does not adversely affect the amenity of the neighbourhood.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Extensive Animal Husbandry</td>
<td></td>
</tr>
<tr>
<td>Education Centre</td>
<td>The land must be used in accordance with a Master Plan approved by the Responsible Authority.</td>
</tr>
<tr>
<td>Home Occupation</td>
<td></td>
</tr>
<tr>
<td>Mineral Exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of 52.08-2</td>
</tr>
<tr>
<td>Minor Sports and Recreation Facility</td>
<td></td>
</tr>
<tr>
<td>Place of Worship</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for Stone</td>
<td>Must not be costeanning or bulk sampling</td>
</tr>
<tr>
<td>Shop</td>
<td>Must be ancillary to the use as a school</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Park</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly</td>
<td></td>
</tr>
<tr>
<td>Any 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 (except caretaker's house)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
</tbody>
</table>
Use

Cemetery
Crematorium
Hotel
Industry
Major Utility Installation
Market
Motor Sales
Motor Racing Track
Office with floor area exceeding 500 square metres in area
Shop - other than in section 1

2.0

Use of land

Amenity of the neighbourhood
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.

Application requirements
An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- Maintenance of areas not required for immediate use.

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 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.

3.0

Subdivision
No specific requirements
4.0 Buildings and works

An application to construct a building or to carry out works must be accompanied by information including:

- Details of conformance to the approved Master Plan or proposed variation from the approved Master Plan.
- Detail of the issues raised by the decision guidelines.

Before deciding on an application the Responsible Authority must consider:

- The relationship between this use and the surrounding residential area.
- The appearance of the building having regard to adjoining residential areas.
- The provision of landscaping.
- The effect of the development on the amenity of the neighbourhood.
- The effect on local traffic movements including pedestrians and cyclists, the availability of public transport and the provision of car parking.
- Loading and service areas.

5.0 Advertising signs

No specific requirements
SCHEDULE 4 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

FORMER CONVENT OF THE GOOD SHEPHERD – ST HELIERS STREET, ABBOTSFORD

Purpose
To provide for the development and management of the site primarily for arts, culture, education, tourism and parkland uses.

To implement the Abbotsford Convent Masterplan.

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, Corrective institution and Dwelling (other than Bed and breakfast and Caretaker’s house))</td>
<td></td>
</tr>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Carnival</td>
<td>Must meet the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Circus</td>
<td>Must meet the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Must not exceed 2000 square metres of gross floor area.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus, Cinema, Drive-in theatre and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Road</td>
<td>Must not be costeasing or bulk sampling.</td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must be in accordance with the approved Abbotsford Convent Master Plan.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Convenience shop and Restricted retail premises)</td>
<td>Each tenancy must contain no more than 500 square metres of gross leaseable floor area.</td>
</tr>
<tr>
<td></td>
<td>The total gross leaseable floor of all tenancies combined must not exceed 3000 square metres.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td>Must be in accordance with the approved Abbotsford Convent Master Plan.</td>
</tr>
<tr>
<td><strong>Section 2 – Permit required</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Store (other than Boat and caravan storage, Freezing and cool storage, Rural store, Vehicle store)</td>
<td>Any use in Section 1 if the condition is not met</td>
</tr>
<tr>
<td></td>
<td>Any other use not in Section 3</td>
</tr>
<tr>
<td><strong>Section 3 – Prohibited</strong></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 keeping</td>
<td></td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Display home</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast and Caretaker’s house)</td>
<td></td>
</tr>
<tr>
<td>Extractive industry</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
</tbody>
</table>
Use

- Materials recycling
- Milk depot
- Motor racing track
- Motor repairs
- Motor vehicle, Boat, or Caravan sales
- Race course
- Refuse disposal
- Restricted retail premises
- Rural industry
- Rural store
- Saleyard
- Service station
- Timber yard
- Trade supplies
- Transfer station
- Transport terminal
- Utility installation (other than a Minor utility installation and Telecommunications facility)
- Vehicle store
- Veterinary centre

2.0

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.

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 nearby uses including noise levels, traffic, parking, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- Maintenance of areas associated with the use.

3.0

The Abbotsford Convent Master Plan

The Abbotsford Convent Master Plan 2004 (the “Master Plan”) is the relevant master plan for the operation of this Zone unless it is amended to the satisfaction of the responsible authority.

Amendments to the Master Plan must respond to the decision guidelines included in this Clause.

4.0

Subdivision

A planning permit is required to subdivide land. Where subdivision would separate car parking areas from land uses served by the car parking, a Section 173 Agreement will be required.
5.0
Buildings and works
A permit is required to construct a building or to construct or carry out works, except where they are generally in accordance with the approved Master Plan.

A planning permit is required to construct a building situated outside the defined building envelope plan contained in the Master Plan.

6.0
Car parking
No permit is required pursuant to Clause 52.06 providing car parking is provided in accordance with the number and location of car parking spaces identified in the approved Master Plan.

7.0
Advertising signs
Advertising sign requirements are at Clause 52.05. This zone is in Category 4.

8.0
Decision guidelines
Before deciding on an application for a planning permit or amendment to the Master Plan, the responsible authority must consider as appropriate:

- The implementation of the approved Abbotsford Convent Master Plan;
- The views of Yarra City Council;
- The maximisation of public access to the area;
- The integration of the precinct with the Abbotsford community;
- The compatibility of the combination of uses and the character of development with the amenity of the adjoining uses and the visible skyline as seen from Studley Park Road, Johnston Street and Yarra Boulevard;
- The preservation of the cultural heritage of the site and its capacity to interpret the educational, community, and convent life of St Heliers;
- Allowing an evolving physical and cultural development of the site which continues to reflect changes in the economy and social fabric of inner Melbourne;
- Maintaining ecologically sustainable practices in the development and operation of the precinct;
- Building on the opportunities offered by the precinct’s relationship with the Yarra River;
- Public safety and security as an integral consideration in the design and use of public spaces;
- The appropriateness of siting and appearance of buildings and works, the placement of fill and use of screening vegetation in ensuring that the scenic qualities and visual character of the waterway corridor are not compromised;
- The ability to maintain the free passage and temporary storage of floodwaters and minimise flood damage;
- The compatibility of the development with flood hazard and local drainage conditions to ensure that development will not cause any significant rise in flood level or flow velocity;
- Any local floodplain development plan;
- The existing use and development of the land;
- The susceptibility of the development to flooding and flood damage;
- The compatibility of the development with identified environmental values;
- The location and layout of all carparking areas and associated means of circulation and access;
- The environmental objectives for the Yarra River Environs identified in Schedule 1 to the Environmental Significance Overlay;
- The design objectives for the Yarra River Corridor identified in Schedule 1 to the Design and Development Overlay;
SCHEDULE 5 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ5.

EPWORTH RICHMOND PRIVATE HOSPITAL

Purpose
To implement the State Planning Policy Framework and the Local Planning Policy Framework.
To provide for the continued use and development of land for a private hospital and associated uses.
To protect the amenity of patients and residents within and around this precinct.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caretakers House</td>
<td></td>
</tr>
<tr>
<td>Car Park</td>
<td>Where used in conjunction with another Section 1 use.</td>
</tr>
<tr>
<td>Childcare Facility</td>
<td>Must be associated with the hospital</td>
</tr>
<tr>
<td>Education Centre</td>
<td>Must be associated with the hospital</td>
</tr>
<tr>
<td>Emergency Services Facility</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Medical Centre</td>
<td></td>
</tr>
<tr>
<td>Research and Development Centre</td>
<td>Must be associated with the hospital</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>Office (excluding Medical Centre)</td>
<td>Must be used in association with the hospital.</td>
</tr>
<tr>
<td>Function Centre</td>
<td>Must be used in association with the hospital.</td>
</tr>
<tr>
<td>Residential Building</td>
<td>Must be used in association with the hospital.</td>
</tr>
<tr>
<td>Retail Premises</td>
<td>Must be used in association with the hospital.</td>
</tr>
<tr>
<td>Transport Terminal</td>
<td>Must be used in association with the hospital.</td>
</tr>
<tr>
<td>Any 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 Caretakers House or Residential Building)</td>
<td></td>
</tr>
</tbody>
</table>
Use of land

Amenity of the Neighbourhood
The use of land must not adversely affect the amenity of the neighbourhood beyond a level that is reasonably acceptable for the operation of the site as a hospital and medical precinct as a result of:

- Traffic and car parking generated by the use.
- The transport of materials or goods to or from the land.
- The appearance of any building, works or materials.
- Noise generated by the use.

Application Requirements
Any application to use land must include a site plan and description showing how the proposed use will complement the private hospital facility.

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the type 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.
- Maintenance of areas not required for immediate use.

Decision Guidelines
Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The purpose of the zone.
- The effect that existing uses on nearby or adjoining land may have on the proposed use.
- The effect of traffic to be generated on roads.
- The effect of the proposed use on car parking.

Subdivision
The fragmentation of land through subdivision that does not support the purpose of the zone is discouraged, except where the need is to subdivide for the purpose of medical consulting suites.

Application Requirements
Any application to subdivide land must state the intended outcome of the proposed subdivision and its strategic impact on the overall operation of the private hospital facility and address the interface and connectivity between land uses on the site and on adjoining land.
**Decision Guidelines**

Before deciding on an application to subdivide land the responsible authority must consider, as appropriate:

- The purpose of the zone.
- The maintenance and retention of publicly accessible areas and links between public and private spaces and the various land uses.
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The interface with adjoining zones, especially the relationship with residential areas.
- The effect the subdivision will have on the potential of the area to accommodate the uses which are encouraged in the zone.

**Buildings and works**

A permit is required to construct a building or to construct or carry out works.

**Application Requirements**

An application to construct a building or carry out works must be accompanied by a plan drawn to scale, which shows:

- The boundaries and dimensions of the site.
- Relevant ground levels.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- Elevation drawings indicating the colour and materials of all proposed buildings and works.
- Details of existing and proposed landscaping.
- Details of driveways, car parking and loading areas.
- External storage and waste treatment areas.
- Any increase in traffic generation.
- The interface with adjoining land uses.

**Decision Guidelines**

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- Net community benefit, specifically the strategic benefit in delivering health care (including surgical procedures, critical care and emergency services) to the Victorian community.
- The provision for car parking
- The appearance and bulk of buildings having regard to the adjoining land
- The provision of land for landscaping
- The movement and safety of pedestrians, cyclists and vehicles providing for supplies, waste removal, emergency services and public transport.
- Loading and service areas.
- The effect of the proposed buildings and works on the amenity of the surrounding area including the effects of noise, lighting, overshadowing and privacy.
SCHEDULE 6 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6.

COLLINGWOOD ARTS PRECINCT

Purpose

To recognise the Collingwood Arts Precinct as an arts and cultural precinct of State significance.

To provide for the use and development of the site as an integrated hub for the arts and creative industries, including studios, workshops, galleries, rehearsal, performances, live music and events spaces, spaces for training, production and community engagement activities.

To facilitate the activation of the site and provide for public access and the use of outdoor spaces.

To encourage the adaptive re-use of existing vacant buildings including provision for contemporary design responses.

To ensure that the future use and development of the Collingwood Arts Precinct does not unduly impact on the amenity of surrounding areas.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Cabaret</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Dancing school</td>
<td></td>
</tr>
<tr>
<td>Education centre (other than primary school or secondary school)</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreations (other than Major sports and recreation facility and Motor racing track)</td>
<td>Must be used in conjunction with the use of an arts and craft centre, a place of assembly (other than amusement parlour or nightclub), and leisure and recreation (other than Major sports and recreation facility and Motor racing track).</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Must be used in conjunction with the use of an arts and craft centre, a place of assembly (other than amusement parlour or nightclub), and leisure and recreation (other than Major sports and recreation facility and Motor racing track).</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement Parlour and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>Must be used in conjunction with the use of an arts and craft centre, a place of assembly (other than amusement parlour or nightclub), and leisure and recreation (other than Major sports and recreation facility and Motor racing track).</td>
</tr>
<tr>
<td>Store</td>
<td>Must be used in conjunction with the use of an arts and craft centre, a place of assembly (other than amusement parlour or nightclub), and leisure and recreation (other than Major sports and recreation facility and Motor racing track).</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Reservoir)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet 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 Caretaker’s house and Corrective institution)</td>
<td>Must be used in conjunction with the use of an arts and craft centre, a place of assembly (other than amusement parlour or nightclub), and leisure and recreation (other than Major sports and recreation facility and Motor racing track).</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Nightclub (other than cabaret)</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Refuse disposal and Transfer station)</td>
<td></td>
</tr>
<tr>
<td>Office (if the condition in Section 1 is not met)</td>
<td></td>
</tr>
<tr>
<td>Primary School</td>
<td></td>
</tr>
<tr>
<td>Retail Premises (other than Food and drink premises, Market, Shop and Trade supplies)</td>
<td></td>
</tr>
<tr>
<td>Secondary School</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
<td></td>
</tr>
<tr>
<td>Any 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>Brothel</td>
</tr>
<tr>
<td>Corrective Institution</td>
</tr>
<tr>
<td>Intensive Animal Husbandry</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Funeral Parlour</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Service Station</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Refuse disposal</td>
</tr>
<tr>
<td>Transfer station</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
</tbody>
</table>

### Use of land

#### Management of Noise

The use of land must be managed so as to limit noise in accordance with the following Patron Noise Criteria:

For LAeq noise levels, the less stringent of the following:

- If noise is assessed external to a Noise Sensitive Building, noise emissions must comply with the following patron noise design targets:
- Day period (from 0700 to 1800) – 50 dB or background noise (LA90) + 10 dB, whichever is higher.

- Evening period (from 1800 to 2200) – 45 dB or background noise (LA90) + 10 dB, whichever is higher.

- Night period (from 2200 to 0700) – 40 dB or background noise (LA90) + 5 dB, whichever is higher.

- If noise is assessed internal to a Noise Sensitive Building, noise emissions must achieve the lower of the design sound level range for (whichever is relevant) houses and apartments in inner city areas, entertainment districts, or near major roads, as provided in Australian Standard AS2107:2016 ‘Acoustics—Recommended design sound levels and reverberation times for building interiors’.

- For LAmx noise levels, during the hours of 10pm-7am:

  - ‘Sleep Disturbance Criteria’, being a noise level of 55dBAmax, assessed inside a habitable room of a Noise Sensitive Building normally used for the purpose of sleeping.

For the purpose of the Patron Noise Criteria, ‘Noise Sensitive Building’ means a building referred to in the definition of ‘Noise sensitive area’ in SEPP N-1, being a Dwelling, Residential Building, Caretaker's House, Hospital, Hotel, Institutional Home, Motel, Reformative Institution, Tourist Establishment or Work Release Hostel.

For noise that is not subject to SEPP N-1, SEPP N-2 or patron noise criteria (as specified in this clause), EPA publication no. 1254, ‘Noise Control Guidelines’ 1254 and any other relevant noise guidelines published by EPA from time to time.

**Management of Waste**

All waste material not required for further on-site processing must be regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the responsible authority.

Uses must be managed so that the amenity of the area is not detrimentally affected through the:

- transport of materials, goods or commodities to or from the land.

- appearance of any building, works or materials.

- emission, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

- presence of vermin.

**Application Requirements**

Any application to use land must be accompanied by the following information, as appropriate:

- Any Master Plan prepared for the site.

- The purpose of the use and the types of activities which will be carried out.

- The likely effects, if any, on nearby uses including noise levels, traffic, parking, the hours of delivery and dispatch of goods and materials, hours of operation.

- The compatibility of the proposed use with the purpose of the zone the use of the site as an arts and creative industries precinct.

- Maintenance of areas associated with the use.

**Decision Guidelines**

Before deciding on an application to use land, the responsible authority must consider, as appropriate:
The management of noise generated by the use.

How the proposal would contribute to:

- Delivering an arts and creative industries precinct of State importance.
- Facilitating an evolving physical and cultural development of the site which reflects the changing needs of the arts and creative community.
- Integrating the precinct into its context and maximising opportunities for community access and use.
- Recognising the importance of accommodating a variety of events in integrating the precinct with the surrounding community.
- Maintaining the heritage values of the site and providing protection to and appreciation of the Keith Haring mural, while providing for contemporary design responses and adaptive re-use of the site.
- Organising access and circulation to maximise accessibility by pedestrians and cyclists and minimising conflicts with vehicles.
- Encouraging sustainable transport choices by maximising opportunities for access by means other than private cars and minimising on site car parking.

**Subdivision**

Any application to subdivide land must be accompanied by the following information, as appropriate:

- Any Master Plan prepared for the site.
- The purpose of the subdivision.
- The likely effects the subdivision would have on adjacent land.
- The effects of the subdivision on the use in accordance with the purpose of the zone.

**Decision Guidelines**

Before deciding on an application to subdivide land the responsible authority must consider, as appropriate:

- The interface with adjoining zones and any existing residential properties adjoining the site.
- The effect the subdivision will have on the potential of the land to accommodate existing and potential future uses in accordance with the purpose of this zone.

**Exemption from notice and review**

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), of the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Buildings and works**

**Application Requirements**

An application to construct a building or carry out works must be accompanied by the following information, as appropriate:

- Any Master Plan prepared for the site.
- A plan drawn to scale, that shows:
  - The boundaries and the dimension of the site.
- Relevant ground levels.
- The location, height and purpose of buildings and works on adjoining land.
- The layout and use of existing and proposed buildings and works, accessways and car parking and loading areas.
- Elevation drawings indicating the colour and materials of all proposed buildings and works.
- Details of the proposed landscaping.
- Details of any heritage fabric to be altered or removed.
- Vehicle and pedestrian entry and exit points for the site.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- Any Master Plan prepared for the site.
- The development of the site as an integrated arts precinct and the purposed of the zone.
- The interface with adjoining land, especially the relationship with existing residential properties.
- The location and type of access to the site.
- The provision and location of car parking.
- The appearance and bulk of buildings having regard to the adjoining land, especially the relationship with residential areas.
- The provision for landscaping.
- The movement of pedestrians and cyclists and vehicles providing for supplies, waste removal, emergency services and public transport.
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing, building bulk and privacy.

**Exemption from notice and review**

An application to construct a building or construct or carry out works for a use in Section 1 of this schedule is exempt from the notice requirements of Section 52(1)(a), (b) and (d), of the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Advertising Signs**

Advertising signs requirements are at Clause 52.05. This zone is in Category 1.
COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>1. The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>2. The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>where:</td>
<td></td>
</tr>
<tr>
<td>1. 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>2. 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>1. The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>1. 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>2. Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>2. The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
</tbody>
</table>
Objectives and standards to be met

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- Any guidelines in the schedule to this zone.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.
An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ1**.

VICTORIA GARDENS COMPREHENSIVE DEVELOPMENT

Land
This clause applies to land generally bounded by Victoria Street, Burnley Street, the Yarra River and Doonside Street (in part), Richmond, as define by the incorporated document “Victoria Gardens - Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area”.

Purpose
- To encourage the comprehensive redevelopment of land on the south side of Victoria Street between Burnley Street and the Yarra River, City of Yarra.
- To ensure that development on the site will complement and enhance the Yarra River environment.
- To assist redevelopment as a mix of office, retail, entertainment, residential, commercial and ancillary uses.
- To ensure that the combination of uses, their overall density and the scale, character and level of redevelopment are compatible with:
  - The amenity of the surrounding area and the nature of the surrounding uses.
  - The visible skyline as seen from and along the Yarra River and the River’s general environs, and views along Victoria Street and Barkers Road.
  - The capacity of the existing road system and any proposed modifications to accommodate any increase in traffic.
  - The capacity of existing essential services and proposed modifications.
- To ensure retailing in the zone is compatible with and serves the existing and future commercial, industrial and residential uses in the surrounding area.
- To provide greater public access, in particular for pedestrians and cyclists, to and along the Yarra River bank.
- To ensure that the land is developed in an orderly and proper manner.
- To encourage a high standard of urban design.
- To encourage the provision of active frontages to streetscapes and high quality interfaces with the public realm and internal pedestrian interfaces.
- To improve pedestrian amenity and safety and enhance connectivity within and to surrounding development.
- To limit overshadowing affecting the amenity of adjoining land and, in particular, areas of public open space and the Yarra River.
- To avoid adverse wind conditions in pedestrian areas.
- To ensure that buildings and works along the Yarra River do not adversely affect drainage or flooding.
Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>Floor area not to exceed 800m².</td>
</tr>
<tr>
<td></td>
<td>Must not be located in Precincts 1 or 2</td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bank</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 5 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least two car parking spaces must be provided.</td>
</tr>
<tr>
<td></td>
<td>Any bed and breakfast sign must not exceed 0.2 square metre.</td>
</tr>
<tr>
<td>Betting agency</td>
<td></td>
</tr>
<tr>
<td>Child Care Centre</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>Not more than 2,400 seats.</td>
</tr>
<tr>
<td></td>
<td>Must not be located in Precinct 1 or 2</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast and Caretaker’s house)</td>
<td></td>
</tr>
<tr>
<td>Electoral office</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises (other than Hotel and Tavern)</td>
<td>Must not be located in Precinct 2.</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></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Motor repairs</td>
<td>Must be located in Precinct 3.</td>
</tr>
<tr>
<td>Office</td>
<td>Must not be located in Precinct 2.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Art gallery, Cinema and Place of worship)</td>
<td>Must not be located in Precinct 1 or 2.</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Convenience shop, and Trade supplies)</td>
<td>Must not be located in Precinct 1 or 2.</td>
</tr>
<tr>
<td>Trade supplies (other Timber yard)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must be located in Precinct 3 within the area designated on the Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose listed in the table to Clause 52.10</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 bookshop</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Convenience shop</td>
<td>Must be located in Precincts 1 or 2.</td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>Industry (Other Than Motor Repairs And</td>
<td></td>
</tr>
<tr>
<td>Refuse Disposal)</td>
<td>Any industry with a purpose shown with a Note 1 or 2 in the table to Clause 52.10 must be</td>
</tr>
<tr>
<td></td>
<td>located within land contained in Certificates of Title Volume 10291 Folio 881; Volume</td>
</tr>
<tr>
<td></td>
<td>10291 Folio 882; Volume 10293 Folio 534; Volume 8873 Folio 964.</td>
</tr>
<tr>
<td>Motor Vehicle, Boat, Or Caravan Sales</td>
<td></td>
</tr>
<tr>
<td>Place Of Worship</td>
<td></td>
</tr>
<tr>
<td>Residential Building (Other Than Residential Hotel)</td>
<td></td>
</tr>
<tr>
<td>Service Station</td>
<td></td>
</tr>
<tr>
<td>Tavern</td>
<td></td>
</tr>
<tr>
<td>Vehicle Store</td>
<td>Use must be located within the site contained in Certificates of Title Volume 10212 Folio 083.</td>
</tr>
<tr>
<td>Any Other Use Not In Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal hospital</td>
<td></td>
</tr>
<tr>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Cold store</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
</tbody>
</table>
**Use**

Extractive industry  
Fuel depot  
Greyhound training  
Hospital for infectious diseases  
Junk yard  
Milk depot  
Motor racing track  
Race course  
Refuse disposal  
Saleyard  
Timber yard  
Utility installation (other than a Minor utility installation)

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### 2.0  
19/01/2006  
VC37  

**Use of land**

Use of land shall be in accordance with the Table of uses to this Clause and the incorporated document “Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area”.

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### 3.0  
19/01/2006  
VC37  

**Subdivision**

No specific requirements

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### 4.0  
19/01/2006  
VC37  

**Buildings and works**

A permit is not required to construct a building or to construct or carry out works if in accordance with a development plan prepared to the satisfaction of the responsible authority.

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### 5.0  
19/10/2017  
C235  

**Exempt development**

The provisions of Clause 44.04 Land Subject to Inundation Overlay, Clause 42.03 Significant Landscape Overlay, Clause 43.02 Design and Development Overlay and Clause 43.01 Heritage Overlay do not apply to any development constructed in accordance with an approved development plan.

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### 6.0  
16/04/2009  
C121  

**Development plan**

The land owner may submit for approval staged development plans for each precinct or part of a precinct.

Each such plan must generally be in accordance with the “Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area” incorporated document and must show as appropriate:

- The location, height, dimensions and floor area of all buildings and works.
- The stages in which the land is to be developed.
- Precinct 2 must make provision for not less than 50 dwellings.
- The proposed uses of each building.
- The location of all vehicle, bicycle and pedestrian ways.
7.0 Pedestrian amenity and access plan

For a development plan that proposes use or development of land for office or retail purposes, no new buildings and works may be constructed until a detailed pedestrian amenity and access plan has been prepared to the satisfaction of the responsible authority.

The pedestrian access and amenity plan must demonstrate, as relevant, how the use and development of the land will:

- Contribute to improving the amenity and public safety of pedestrian spaces and the public realm
- Activate internal and external frontages
- Improve pedestrian access to public transport facilities
- Improve pedestrian permeability within the site, to the river environs and enhance connectivity to other redevelopment precincts surrounding Victoria Gardens

The pedestrian amenity and access plan may be amended at the request or with the consent of the owner of the land affected, to the satisfaction of the responsible authority.

8.0 Landscape plan

No new buildings and works may be constructed until a detailed landscape plan has been prepared to the satisfaction of the responsible authority.

The landscape plan must show as appropriate:

- The overall landscaping concept for the stage(s) of the development under consideration.
- The areas of open space that will be available to the public (public areas).
- A detailed planting schedule for the stage(s) under consideration.
- Details of on-going maintenance management for the proposed landscaping.
- If the land is to be developed in stages, show the area that will be available as open space at completion of each stage.
- Any landscaping proposed for streets, road reserves and public areas.
- The landscape treatment of the Victoria Street and Burnley Street frontages of the land.

The landscape plan may be amended at the request or with the consent of the owner of the land affected, to the satisfaction of the responsible authority.

**Transport Plan**

Before the start of any development, in accordance with an approved development plan, a transport plan must be prepared to the satisfaction of the responsible authority.

Where the transport plan applies to existing public roads, the plan must also be to the satisfaction of VicRoads.

The transport plan must show as appropriate:

- Proposed traffic management and traffic control works considered necessary in adjoining and nearby roads when the development or any stage is completed.
- Means of vehicular ingress to and egress from the site.
- The arrangements for internal access and movement including details of internal access roads.
- The timing of the proposed traffic works relative to the staging of the development under the development plan.
- Preferred locations for loading and unloading facilities
- The number, location and allocation of car parking spaces
- Public transport arrangements and access routes and means of integration with public transport.
- Pedestrian access and movement network
- Bicycle paths and their connection to the existing bicycle network
- Proposed sustainable travel initiatives, including estimated mode share targets and actions to encourage use of public transport and non-motorised travel.

The traffic works may be designated in stage(s) or as shown on the development plan or by both methods.

At the request or with the consent of the owner of land affected, the transport plan may be amended to the satisfaction of the responsible authority.

**Management plan**

Prior to the occupation of any building, a Management Plan is to be prepared to the satisfaction of the responsible authority. This does not apply to renovated or completed buildings.

The Management Plan, including any amendment, must provide as appropriate for:

- General amenity provisions.
- Set out proposals for the permanent management and maintenance of public areas. If the land is to be developed in stages, detail the management of the vacant land at each stage.
- Operation matters applying to the operation of the retail, entertainment and office components.
- The maintenance of undeveloped land on the site.
- The operation of waste collection.
- Litter management.

The management plan may be amended at the request or with the consent of the owner of land affected and to the satisfaction of the responsible authority.
11.0 16/04/2009
Yarra environs precinct

The purpose of the Yarra Environs Precinct shown on the Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area is to facilitate and encourage integration between the Yarra River, the site and the surrounding area and the use and development of the land for recreation purposes.

In deciding whether that part of a development plan which includes land within the Yarra Environs Precinct is satisfactory the responsible authority must consider:

- Any policy, structure plan or guidelines relating to the Yarra River that have been adopted by the responsible authority.
- The compatibility of proposed buildings and works with adjoining development and the Yarra River in terms of building design, built form and land use.
- The need for pedestrian and bicycle linkages.

The Precinct must only be developed for:

- Pedestrian and bicycle linkages.
- Boat landings, boardwalks, terraces, decks, seating and ancillary works.
- Public recreational facilities

12.0 16/04/2009
Landscape buffer

The purpose of the Landscape Buffer shown on the Victoria Gardens Building Envelope and Precinct Plan Precinct 3 Plan – Warehouse Area is to encourage integration between any residential development on the site and the adjoining residential development to the south.

In deciding whether that part of a development plan which includes land within the Landscape Buffer precinct is satisfactory the responsible authority must consider:

- Any policy, structure plan or guidelines relating to this site that have been adopted by the responsible authority.
- The compatibility of proposed buildings and works with adjoining development in terms of building design, built form and land use.
- The need for pedestrian and bicycle linkages.

The Landscape Buffer shall only be developed for:

- Pedestrian and bicycle linkages.
- Linkages to any building.
- Landscaping and open space.
- Recreational facilities.

13.0 16/04/2009
Requirement for an environmental audit

Before a sensitive use commences or before a building is constructed for a sensitive use and before works are constructed or carried out in association with a sensitive use, to comply with Ministerial Direction 1, the following must be complied with:

- A Certificate of environment audit must be issued for the land in accordance with Section 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 Section IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
**Definitions**

In this Schedule, a “sensitive use” means a residential use, a child care centre, a pre-school, a primary school or public open space.

**Sensitive Use Buffer**

No sensitive use as defined above shall be established within the area shown as Sensitive Use Buffer on the Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area.

**Guidelines for approving plans**

In deciding whether a Development Plan, Traffic Plan, Management Plan or Landscape Plan or any amendment to one of these plans is satisfactory or in the granting of a permit, the responsible authority must consider:

**General**

- The purposes of the zone
- Any views on the traffic plan by VicRoads.
- The views, if any, of Melbourne Water and Parks Victoria.
- Any concept plan approved for the area.
- The existing use or development of the area.

**Design and Landscape**

- The urban design, character and visual appearance of the proposed buildings and works.
- The activation of ground level street frontages and contribution to amenity and safety of pedestrian spaces
- The design and visual appearance of the roofscape.
- The location of plant and equipment and its impact on the design of the roofscape.
- The provision of increased open space where buildings project above the RL 31 height limit in the ‘height projection area’ identified in Part 24 of this Schedule.
- Linkages, pedestrian and bicycle, from the surrounding area to the site and the Yarra River.
- The provision of publicly accessible open space along the river
- Physical and visual connections from and through the site to the river corridor
- The Victoria Gardens Development Urban Design Guidelines.
- The riparian appearance of the Yarra River Corridor.
- The existing Main Yarra Trail.
- The opportunities for recreational activities along the Yarra River.

**Traffic and Transport**

- The location of any proposed off street parking area.
- Points of access to and from the land and whether they are suitably located.
- The layout of car parking areas and accessways to them.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood.
- The provision of adequate loading facilities.
- The provision of safe and efficient pedestrian and cyclist movement to, from and on the land and adjoining roads.
- Strategies for encouraging sustainable travel, including use of public transport and non-motorised travel.

**Significant Landscape**
- Whether the location, bulk and appearance of the buildings and works will be in keeping with the character and appearance of the area.
- Whether the location, bulk, outline and appearance of the buildings or works will be in keeping with or enhance the skyline when viewed from the river, or the Yarra Boulevard, or from prominent scenic viewpoints within the valley environs.

**Land Subject to Inundation and Environmental Significance**
- The need to prevent or reduce the concentration or diversion of floodwater or stormwater.
- The need to prevent pollution.
- The effect on the natural beauty and on the future use and enjoyment of the area by the community.
- Whether the buildings or works or planting or removal of vegetation is likely to cause any deterioration of the area by erosion or the depositing of sand or silt or any other reason.

**Heritage Character**
- The character and appearance of the buildings or works and their significance to the architectural and historic character and appearance of the area.
- Whether the location, bulk and appearance of the proposed buildings and works will be in keeping with the character and appearance of adjacent buildings and the area.
- Whether any landscaping will be in keeping with the character and appearance of the area.

**Native Vegetation**
- The conservation and enhancement of the area.
- The impact on the natural environment and landscape values of any removal, destruction or lopping of native vegetation.
- Planting, replanting or other treatment of any part of the land.

**Display of plans**
Before deciding to approve a development plan, landscape plan, traffic plan and management plan the responsible authority must display the plan for public comment. The plan must be displayed:
- Within 28 days after the plan is received by the responsible authority.
- For at least 14 days, but no longer than 28 days.

The responsible authority may request further information before deciding to display the plan.

The responsible authority must take account of any public comments received in response to this procedure.

The responsible authority must make a decision on the plan or amendment within 28 days after the completion of the display.

The responsible authority may approve a minor amendment to the development plan without the further requirement for a display period.
**Height control**

A building or works must not exceed the height above the Australian Height Datum for any particular site as shown on the Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area incorporated in this Planning Scheme.

This does not apply to:

- the height of architectural features, building services, electronic media antennas, flagpoles, lighting poles, fences and advertising signs approved under Part 22 of this Schedule.
- limited built form projections in the ‘height projection area’ shown in Precinct 2 which project above RL31 height limit but which do not exceed RL37 and do not exceed 10% of the precinct height projection area.

**Car parking control**

Car parking shall be allocated in accordance with the following table:

<table>
<thead>
<tr>
<th>Use</th>
<th>No. of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>2.5 spaces per 100m²</td>
</tr>
<tr>
<td>Food and drink premises (other than Hotel, Tavern and Take Away food premises)</td>
<td>0.3 spaces per seat</td>
</tr>
<tr>
<td>Shop (other than Restricted retail premises)</td>
<td>4.5 spaces per 100m²</td>
</tr>
<tr>
<td>Place of assembly</td>
<td>0.3 per seat or square metre available to the public</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>2.0 spaces per 100m²</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>2.0 spaces per 100m²</td>
</tr>
<tr>
<td>Residential</td>
<td>1.5 spaces per dwelling</td>
</tr>
</tbody>
</table>

A permit may be granted to reduce the number of car spaces required for a particular use if the responsible authority is satisfied that the number of space required:

- Is unnecessary in the circumstances; or
- Can be provided on nearby land.

Before deciding on an application, the responsible authority must consider:

- The likely demand for car parking spaces.
- The extent to which the various uses of the land are likely to generate different levels of demand for car parking at different times.
- The possible multi-use of car spaces.
- The demand for car spaces generated by the uses established in previous stages of the development.
- The accessibility of the site to vehicle traffic.
- The proposed layout of parking areas.

**Car space dimensions**

The dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06 unless the responsible authority agrees otherwise.
20.0
Loading bays
Facilities for vehicles to load and unload must be provided on the land to the satisfaction of the responsible authority.

21.0
Storing and transporting goods
Goods must be stored and transported to, from and on the land to the satisfaction of the responsible authority.

22.0
Advertising signs
Advertising sign controls are at Clause 52.05. This zone is in the following categories:
Precinct 1 and 3 are in category 1 of Clause 52.05.
Precinct 2 is in category 3 of Clause 52.05.

23.0
Incorporated documents
The Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area, and the Victoria Gardens Urban Design Guidelines are documents incorporated into this scheme.

24.0
Diagram 1 - Precinct 2 Height Projection Area
Height projection area shown shaded – extract from Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area
SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ2.

CREMORNE, BALMAIN, DOVER STREETS PROJECT, RICHMOND

Land

This clause applies to land bounded by Cremorne, Bent, Dover and Balmain Streets, Richmond as defined by the comprehensive development plan “Cremorne, Balmain, Dover Streets Project” incorporated in this scheme.

Purpose

To provide for the land to be planned and developed as a whole in a form that is responsive to area character and amenity, site characteristics and opportunities, and the strategic objectives of the responsible authority.

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>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>
<tr>
<td>Any use indicated on the “Cremorne,</td>
<td>Must be generally in accordance with the “Cremorne, Balmain, Dover Streets</td>
</tr>
<tr>
<td>Balmain, Dover Streets Project”</td>
<td>Project” comprehensive development plan.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral, stone, or soil extraction (other than Extractive industry,</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration, Mining, and Search for stone)</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>Extractive industry</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)</td>
</tr>
</tbody>
</table>
2.0  Use of land

Use of land must be in accordance with the Table of uses to this Clause and the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan.

3.0  Subdivision

Permit requirement

A permit is required to subdivide land or a building.

Application requirements

None specified.

Exemption from notice and appeal

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.0  Buildings and works

Permit requirement

A permit is not required to construct a building or carry out works generally in accordance with the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan or minor variations to the comprehensive development plan if such variations are to the satisfaction of the responsible authority. A permit may be granted for development which is not generally in accordance with the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan or for variations to the comprehensive development plan which are not minor.

Noise attenuation

Before the commencement of construction or carrying out of works associated with the residential component of the Cremorne Street building, the owner of the subject site must provide to the satisfaction of the responsible authority a report from an appropriately qualified and experienced acoustic engineer specifying any measures required to provide noise attenuation from the nearby industrial/commercial properties to protect the amenity of the future residents of the dwellings. The owner must carry out any works that are specified in the report.

Floodway management

Before the use commences or before the construction or carrying out of buildings and works in association with the use of the proposed development, plans must be referred to Melbourne Water for written comment. Any requirements made by Melbourne Water must be carried out to the satisfaction of Melbourne Water and the responsible authority.

Landscape plan

No buildings may be constructed until a detailed landscape plan has been prepared to the satisfaction of the responsible authority. The plan must show, as appropriate:

- A detailed planting schedule.
- The areas of open space that will be available to the public (public areas).
- Any landscaping proposed for streets, road reserves and public areas.
- The landscape plan may be amended with the consent of the responsible authority.
Construction management

Except with the written consent of the responsible authority, demolition or construction works must only be carried out between 7.00am and 6.00pm Monday to Friday and from 9.00am to 6.00pm on Saturday. No work is to be carried out on Sundays, Anzac Day, Christmas Day and Good Friday. All site operations must comply with the Environment Protection (Residential Noise) Regulations 1997.

During the construction phase of the development the following conditions must be met:

- Only clean rainwater may be discharged to the stormwater drainage system.
- Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system.
- Vehicle borne material from the premises must not accumulate on the roads abutting the site.

Environmental assessment

For land within a distance of 55 metres from Cremorne Street, before a sensitive use commences or before the construction or carrying out of buildings or works in association with a sensitive use commences:

- A certificate of environmental audit must be issued for the land in accordance with Section 57AA of the Environment Protection Act 1970 or, an environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Section 57AA(5)(b) of the Act that the environmental conditions of the land are suitable for the sensitive use.

Agreement

The owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 prior to the development of the land which will require the owner of the land to either carry out the buildings and works or provide the full cost for:

- The undergrounding of all power lines (at least) on the site side of the four surrounding streets.
- Landscaping and associated kerb protection in Balmain, Bent, Dover and Cremorne Streets to the satisfaction of the responsible authority.
- Reinstatement of the footpath kerb and channels in Balmain, Bent, Dover and Cremorne Streets to the satisfaction of the responsible authority.
- Commission and donate a public artwork to be incorporated into the public courtyard garden fronting Balmain Street.
- Contribute a sum of money (to be agreed) towards future traffic management and/or street beautification in the surrounding streets. This could include a full or partial closure at the eastern end of Bent Street and the creation of a neighbourhood park at the eastern end of Bent Street; road narrowing or necking devices; speed humps; and/or footpath widenings in surrounding streets.
- Deposit a sum of money (to be agreed) with the responsible authority which will be forfeited if demolition occurs more than 3 months before construction starts.

This agreement will be prepared and executed while the land is still contained in the one ownership and shall be at the full cost of the owner of the land.

Advertising signs

None specified.
SCHEDULE 3 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ3.

RICHMOND MALTINGS, 2 GOUGH STREET, CREMORNE

Land

This clause applies to land known as Richmond Maltings, generally bounded by Harcourt Parade to the south, Gough Street to the north, and Cremorne Street to the east, as defined by the incorporated document “Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007”.

Purpose

- To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.
- To conserve and enhance key heritage buildings through refurbishment and reuse.
- To allow the continuation of limited major advertising in the precinct.
- To ensure that development on the site will complement and enhance the Yarra River environs.
- To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.
- To retain the visual dominance and preservation of views of the landmark Nylex sign and associated silos through the sensitive siting of new building envelopes on the site.
- To provide a well-designed, attractive open plaza space within the development which is accessible to the surrounding community.
- To ensure a high quality architectural response to the site that acknowledges and is respectful of the scale and form of buildings within the site and its immediate environs.

1.0

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>Office</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
</tbody>
</table>
| Motor vehicle, boat, or caravan sales | Must be located within the ground floor of buildings B4 & B5, as detailed on the comprehensive development plan “Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007”.
| Restricted retail premises         | Must be located within the ground floor of buildings B4 & B5, as detailed on the comprehensive development plan “Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007”.
| Rural store                        |                                                                           |
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Search for stone</strong></td>
<td>Must not be costeasing or bulk sampling</td>
</tr>
<tr>
<td><strong>Telecommunications facility</strong></td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
</tbody>
</table>
| **Warehouse (other than Fuel depot, Milk depot, Mail centre, Rural store and Shipping container storage)** | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.  
The land must be at least the following distances from land (not a road) which is in a Residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
- The threshold distance, for a purpose listed in the table to Clause 52.10.  
- 30 metres, for a purpose not listed in the table to Clause 52.10. |

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Camping and caravan park, Corrective institution, Dependent person’s unit and Host farm)</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, Rural industry and Transfer station)</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>If the Section 1 condition is not met.</td>
</tr>
<tr>
<td>Motel</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Motor vehicle, boat, or caravan sales)</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>If the Section 1 condition is not met.</td>
</tr>
<tr>
<td>Shop (other than Restricted retail premises)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

#### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Camping and caravan park</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
</tr>
<tr>
<td>Freeway service centre</td>
</tr>
</tbody>
</table>
Use
Fuel depot
Hospital
Host Farm
Materials recycling
Major sports and recreation facility
Milk depot
Motor racing track
Pleasure boat facility
Refuse disposal
Rural industry
Saleyard
Service station
Shipping container storage
Tramway
Transport terminal
Utility installation (other than telecommunications facility)
Winery

2.0
Use of land

Amenity of the neighbourhood
Use of land must be in accordance with the Table of uses to this Clause and the comprehensive development plan: “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007”.

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.

Application requirements
An application to use land must be accompanied by the following information, as appropriate:
- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and 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 licence under the Dangerous Goods Act 1985 is required.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.
If a sensitive use is proposed an Environmental Audit is required to ensure that the land/buildings are free of any contamination prior to a sensitive use commencing.

**Exemptions from notice and review**

None specified.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- 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.
- The design principles outlined on the incorporated plan “Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007”.

**Subdivision**

**Application requirement**

None specified.

**Exemption from notice and appeal**

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the 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 Business 5 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 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.
- The interface with adjoining zones, especially the relationship with residential areas.

**Buildings and works**

**Permit requirement**

A permit is not required to make minor variations to the comprehensive development plan “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007” if such variations are to the satisfaction of the responsible authority. A permit may be granted for
development which is not generally in accordance with the comprehensive development plan: “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007” or for variations to the comprehensive development plan which are not minor.

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information as appropriate:

- The boundaries and dimensions of the site.
- Adjoining roads.
- Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveway and vehicle parking and loading areas.
- Proposed landscaped areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Details of proposed acoustic measures to attenuate freeway noise within new residential development.
- Construction details of drainage works, driveways and vehicle parking and loading areas.
- A landscape plan.

**Exemption from notice and appeal**

None specified.

**Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- Consistency with the building envelopes and design principles detailed on the comprehensive development plan: “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007”.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with nearby areas.
- Parking and site access.
- Lighting.
- The preservation of the amenity of nearby residents.
- The orderly management of vehicular and pedestrian traffic.
- The visual impact of the building or works on the impact of the area.
- The inclusion of appropriate acoustic measures to attenuate noise levels internally within new or refurbished / converted buildings for residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.
Car parking control

Car parking shall be allocated in accordance with the following table:

<table>
<thead>
<tr>
<th>Use</th>
<th>No. of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Café</td>
<td>0.3 car spaces/ seat</td>
</tr>
<tr>
<td>Car sales</td>
<td>2.0 spaces per 100m²</td>
</tr>
<tr>
<td>Industry</td>
<td>2.1 spaces per 100m²</td>
</tr>
<tr>
<td>Office</td>
<td>2.6 spaces per 100m²</td>
</tr>
<tr>
<td>Shop (other than Restricted retail premises)</td>
<td>4.0 spaces per 100m²</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>2.1 spaces per 100m²</td>
</tr>
<tr>
<td>Residential (1-2 bedroom apartment)</td>
<td>1 resident car space per apartment</td>
</tr>
<tr>
<td>Residential (3+ bedroom apartment)</td>
<td>2 resident car spaces per apartment</td>
</tr>
<tr>
<td>Residential (general)</td>
<td>0.12 visitor car spaces per apartment</td>
</tr>
<tr>
<td>Restaurant</td>
<td>0.3 car spaces/ seat</td>
</tr>
<tr>
<td>Shop (other than Restricted retail premises)</td>
<td>4.0 spaces per 100m²</td>
</tr>
</tbody>
</table>

A permit may be granted to reduce the number of car spaces required for a particular use if the responsible authority is satisfied that the number of spaces required:

- Is unnecessary in the circumstances;
- Can be provided on nearby land; or
- If the proposal is to achieve a heritage outcome.

Before deciding on the application, the responsible authority must consider:

- The likely demand for car parking spaces.
- The extent to which the various uses of the land are likely to generate different levels of demand for parking at different times.
- The possible multi-use of car spaces.
- The demand for car spaces generated by the uses established in previous stages of the development.
- The accessibility of the site to vehicle traffic;
- The proposed layout of parking areas.

Car space dimensions

The dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06, unless the responsible authority agrees otherwise.

Advertising Signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.
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.

### Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

### 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>None specified</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>
<th>Condition</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

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>
### 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><strong>16 – 59 lots</strong></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><strong>3 – 15 lots</strong></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><strong>2 lots</strong></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>

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><strong>Subdivide land to realign the common boundary between 2 lots where:</strong></td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td><strong>Subdivide land into lots each containing an existing building or car parking space where:</strong></td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td><strong>Subdivide land into 2 lots if:</strong></td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. |
  - Has started lawfully. |
| - The subdivision does not create a vacant lot. |

### 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.

VICTORIA STREET EAST PRECINCT

The Yarra Gardens Precinct Plan – December 2009 is the Incorporated Plan for the land.

Land

The land comprises the area bounded by Walmer Street, Victoria Street, Flockhart Street, land immediately north of Shamrock Street and the Yarra River. The area comprises the following precincts referred to in the Incorporated Plan and depicted on the Map to this schedule:

Precinct 1 – Yarra Gardens

Precinct 2 – Shamrock Street North

Objectives

To provide for the development of a mixed use precinct as part of the Victoria Street Major Activity Centre.

To give effect to the objectives and design principles of the Yarra Gardens Precinct Plan – December 2009.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car park</td>
<td>Must be associated with uses in Precincts 1 or 2</td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>Electoral office</td>
<td>May be used for only 4 months before an election and 2 weeks after an election.</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Must be located in Precinct 1</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></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Restricted Retail Premises</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop and Restricted retail premises )</td>
<td>Must be located at ground level</td>
</tr>
<tr>
<td>Office</td>
<td>Pedestrian access must not be shared with a dwelling (other than a caretaker’s house), unless the office is a bank, real estate agency, travel agency, or any other office where the floor space adjoining the frontage is a customer service area accessible to the public.</td>
</tr>
<tr>
<td>Trade Supplies</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 a Dwelling, Corrective institution)</td>
<td></td>
</tr>
<tr>
<td>Education Centre</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly</td>
<td></td>
</tr>
<tr>
<td>Retail Premises (other than a Food and Drink premises, Shop,</td>
<td>Must be located in Precinct 1</td>
</tr>
<tr>
<td>Restricted Retail Premises and Trade Supplies)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 52.10</td>
</tr>
<tr>
<td>Any other use not in Sections 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 Bookshop</td>
</tr>
<tr>
<td>Agriculture</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Car Wash</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective Institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Extractive Industry</td>
</tr>
<tr>
<td>Funeral Parlour</td>
</tr>
<tr>
<td>Industry (other than Car Wash, Dry Cleaner and Laundromat)</td>
</tr>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Mining</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Service Station</td>
</tr>
<tr>
<td>Any section 2 use if the condition is not met</td>
</tr>
</tbody>
</table>

Use of land

Amenity of the neighbourhood

A use must not have a detrimental impact on the amenity of the neighbourhood or surrounding uses, 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.
Noise attenuation

Use of land for accommodation must be contained within a building:

- Which incorporates noise attenuation measures in accordance with AS2107 to the satisfaction of the responsible authority.
- That if incorporating private open spaces, including balconies, locates and if necessary, screens those areas, to attenuate industrial noise to within the requirements of SEPP N-1.

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- Maintenance of areas not required for immediate use.

Subdivision

No specific requirements.

Buildings and works

A permit is not required to construct a building or to construct or carry out works if in accordance with an approved development plan.

A permit is required to construct a building or carry out works that exceed the height above the Relative Level (RL) and setbacks for any particular site as shown on the building envelope plans contained within the incorporated plan.

This does not apply to:

- ‘architectural projections’ - i.e. light or minor complementary architectural elements distinguished from their primary building forms and involving point form projections of no more than 1.5m to 2.0 m.
- built form above the RL37 podium to Victoria Street frontage if the built form does not exceed 20% of that frontage.

Other Provisions of the Scheme

The provisions of Clause 42.03 Significant Landscape Overlay, Clause 43.02 Design and Development Overlay, Clause 44.04 Land Subject to Inundation Overlay, Clause 52.06 Car Parking and Clause 52.07 Loading Bays do not apply to development in accordance with an approved development plan.

The provisions of Clause 52.01 Public Open Space Contribution and Subdivision do not apply to development in accordance with an approved Development Plan where any of the land has been subject to Public Acquisition Overlay - schedule 2 (PAO2) under Clause 45.01 and transferred to the acquiring agency at no cost.

Development plan

A development plan for each precinct, or part of a precinct, 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 development plan must be to the satisfaction of the responsible authority, be generally in accordance with the Incorporated Plan, and must include as appropriate:
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 purpose statements, design guidelines and height and setback envelopes contained within the Incorporated Plan.

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.

Shadow diagrams detailing existing and proposed shadows at 9am, 12noon and 3pm at the equinox.

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.

Construction details of all roads, accessways, drainage works, vehicle parking and loading areas.

Transport management measures in accordance with Clause 8 of this schedule.

A pedestrian access and movement plan, including details of access for people with disabilities.

The location of all vehicle, bicycle and pedestrian accessways, including links to the Yarra River.

The location and details of all open space, including areas available to the public.

A landscape plan in accordance with Clause 10 of this schedule.

An explanation of the ecologically sustainable development (ESD) principles adopted for the proposed development.

An acoustic plan in accordance with Clause 9 of this schedule.

A wind assessment for new developments of four storeys or more, excluding a basement.

A heritage report where development directly interfaces with the Terminus Hotel at 605 Victoria Street Abbotsford.

A floodplain protection plan in accordance with Clause 11 of this schedule.

Details of waste collection, storage and removal facilities and areas.

Details of external lighting treatment.

The indicative location, type and design of proposed signs.

Display of plans

Before deciding to approve a development plan the responsible authority must display the plan for public comment.

Notice must be given to Yarra City Council, the Abbotsford Brewery, Melbourne Water, Parks Victoria, VicRoads, Yarra Trams, Boroondara City Council, the owners and occupiers of abutting land in Victoria Street and the owners and occupiers of land abutting Flockhart and Shamrock Streets.
A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days, but no longer than 28 days. The responsible authority must consider any comments received in response to the display of the plan.

The responsible authority must make a decision on the plan or amendment within 42 days after the completion of the display.

The responsible authority may approve a minor amendment to a development plan without any further display.

Transport plan
A development plan or an application for the construction of buildings and works must be accompanied by a transport plan to the satisfaction of the responsible authority.

Where a transport plan applies to existing public roads, the plan must be to the satisfaction of VicRoads and the Public Transport Corporation.

A transport plan must show or specify, as appropriate:

- The proposed traffic management and control works on-site and on adjoining roads.
- The means of vehicular ingress and egress to and from the site.
- The arrangements for internal access and movement including details of the internal road or access network and indicative cross-sections.
- The timing of proposed traffic works relative to any staging of the development.
- Preferred locations for loading and unloading.
- Allocation of car parking spaces.
- Pedestrian and bicycle access and movement network.
- Bicycle routes and their connection to the existing network.
- Means of integration with public transport.
- Proposed sustainable travel initiatives, including estimated mode share targets and actions to encourage use of public transport and non-motorised travel.

The transport plan may be amended to the satisfaction of the responsible authority.

Acoustic plan
A development plan or application for buildings and works for land that includes a residential component or is within 30 m of a residential zone must be accompanied by an acoustic plan to the satisfaction of the responsible authority.

The acoustic plan must have regard to the sensitive interface design guidelines in the Incorporated Plan and identify:

- Measures to protect residential occupants from noise sources internal and external to the land.
- Treatment of loading bays where they interface with a sensitive use.
- Treatment of mechanical plant and equipment installed or constructed as part of the development.

The acoustic plan must be supported by an acoustic assessment by a qualified acoustic consultant, conducted to the satisfaction of the responsible authority, which demonstrates how noise attenuation is to be achieved. The assessment must include:

- The external noise levels measured by the consultant;
- The internal and external noise levels calculated by the consultant, and the method of calculation; and
- Details of the design of walls, roof, windows, doors, external glazing and air-conditioning or ventilation systems and how these will achieve the required noise attenuation.

The acoustic plan may be amended to the satisfaction of the responsible authority.

**Landscape plan**

A development plan or an application for the construction of buildings and works must be accompanied by a landscape plan to the satisfaction of the responsible authority.

Where a landscape plan applies to land within the Public Acquisition Overlay or Land Subject to Inundation Overlay, the plan must be to the satisfaction of Parks Victoria and Melbourne Water respectively.

A landscape plan must show or include, as appropriate:

- All existing vegetation to be retained or removed.
- Salvage procedures for native fauna.
- The location, quantity and size at maturity of all proposed plants - as far as possible this should include indigenous species and exclude exotic species closest to the river environs.
- 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.

The landscape plan may be amended to the satisfaction of the responsible authority.

**Flood management, waterway and drainage plan**

A development plan or application for buildings and works or subdivision must be accompanied by a flood management waterway and drainage plan to the satisfaction of the responsible authority. The plan must demonstrate how the design and siting of development responds to and protects the Yarra River’s flood plain and addresses drainage, including making provision for water sensitive design and sustainable storm water management practices. The plan must be to the satisfaction of Melbourne Water and may be amended to the satisfaction of the responsible authority and Melbourne Water.

**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 or include the following:

- a pre-conditions survey of all adjacent Council roads;
- 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;
- on site facilities for vehicle washing;
- 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 outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- 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;
- 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 special arrangement necessary to comply with conditions or statements of environmental audit that apply to the land.

The construction management plan may be amended to the satisfaction of the responsible authority.

13.0
30/08/2007
C95

Operations management plan

Before any new building is occupied, an Operations Management Plan must be approved by and then implemented to the satisfaction of the responsible authority. This does not apply to existing or renovated buildings.

The Operations Management Plan, must provide, as appropriate, for:

- General amenity provisions.
- Set out proposals for the permanent management and upkeep of public areas.
- Operational matters applying to the operation of the retail, entertainment and office components.
- The maintenance of undeveloped land on the site.
- The operation of waste collection.
- The operation and management of car parking spaces.
- Litter management.

The management plan may be amended to the satisfaction of the responsible authority.

14.0
10/03/2011
C128

Car parking control

Car parking must be provided in accordance with the following table:

<table>
<thead>
<tr>
<th>Use</th>
<th>No. of spaces</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and drink premises</td>
<td>0 spaces per 100sqm of leaseable floor area</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>2.1 spaces per 100sqm of net floor area;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or 2.5 spaces per 100sqm of net floor area if less than 10,000sqm</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>0.66 to 1 space per dwelling</td>
<td>Provided a Transport Plan is prepared to the satisfaction of the Responsible Authority in accordance with Clause 8.0 of this schedule that demonstrates that a reduced car parking rate is justified having regard to sustainable travel initiatives.</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>1.5 spaces per 100sqm of leaseable floor area</td>
<td></td>
</tr>
</tbody>
</table>
A permit may be granted to vary the number of car spaces required for a particular use if the responsible authority is satisfied that the number of spaces required:

- Is unnecessary in the circumstances;
- Can be provided on nearby land; or
- Is necessary to meet the needs of the building occupants.

Before deciding on an application, the responsible authority must consider:

- The likely demand for car parking spaces.
- The extent to which the various uses of the land are likely to generate different levels of demand for car parking at different times.
- The possible multi-use of car spaces for complementary uses.
- The demand for car spaces generated by the uses established in previous stages of the development.
- The accessibility of the site to vehicle traffic.
- The proposed layout of parking areas.
- Any agreements to implement a green travel plan.

**Sensitive use and development**

Before a sensitive use (residential use, child care centre, pre-school, primary school or public open space) commences or before the construction or carrying out of buildings and works, other than demolition and works related to the environmental audit and remediation, in association with a sensitive use commences in any of the three precincts, 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.

Unless evidence can be provided to the satisfaction of the responsible authority that the land is suitable for use which could be significantly adversely affected by any contamination.

**Legal Agreement**

Within any precinct, before the commencement of any works under an approved development plan or a permit for land within that precinct, the owner/s of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987.

The Responsible Authority may exempt an application from the need to enter into a section 173 agreement as outlined in this provision, having regard to matters such as the nature and scale of the proposed works or development.

The cost of preparing and lodging the agreement, including any Land Titles Office registration fees, must be paid for in full by the owner/s.

The owner will vest the part of the land that is subject to the PAO in the relevant acquisition authority, at no cost to the relevant acquisition authority, at the time of the subdivision of the land or when the works are completed on the land, whichever is the later.
The agreement must provide, to the satisfaction of the responsible authority that the owners will provide all works, services and facilities constituting the infrastructure and development as outlined in the Incorporated Plan by an agreed date, to the satisfaction of the responsible authority. These works can be carried out on a stage to stage basis where works directly relate to the stage being developed. Alternatively, the owners must pay a monetary equivalent to be paid to the City of Yarra. The works, services and facilities include, but are not limited to:

**Precinct 1: Yarra Gardens**

- Landscaping works at the interface with the Yarra River and street tree planting along Victoria, Flockhart and Shamrock Streets as outlined in the Landscape Plan to be approved as part of the approved development plan or any planning permit issued;
- Construction of the Walmer Street Plaza in accordance with a design endorsed by the City of Yarra. Works associated with the Plaza include surface treatments, landscaping, furniture, lighting;
- Construction of a dual pedestrian and bicycle path connecting Walmer Street Plaza to Precinct 3 (A continuous pedestrian and bicycle connection shall be provided along the Yarra River at the lower level and the upper level path to be connected directly to the Walmer Street Plaza);
- The extension of Shamrock Street to provide a pedestrian connection to the Yarra River;
- All proposed traffic management and control works on-site and on adjoining roads as outlined in the Transport Plan to be approved as part of the approved development plan or any planning permit;
- Provision of public infrastructure necessary as a result of the development and in accordance with Council’s technical standards i.e. bins, lighting, seating, bicycle hoops;
- Reconstruction of damaged roads, footpaths and any other infrastructure assets
- Drainage works (to include water sensitive design); and

All works to be designed and constructed to the satisfaction of the responsible authority.

**Precinct 2: Shamrock Street North**

- Landscaping works at the interface with the Yarra River and street tree planting along Flockhart and Shamrock Streets as outlined in the Landscape Plan to be approved as part of the approved development plan or any planning permit issued;
- Construction of a dual pedestrian and bicycle path connecting with the Yarra Gardens paths in Precinct 1 (A continuous pedestrian and bicycle connection shall be provided along the Yarra River at the lower level and the upper level path to be connected to the Walmer Street Plaza via Precinct 1);
- The extension of Shamrock Street to provide a pedestrian connection to the Yarra River;
- All proposed traffic management and control works on-site and on adjoining roads as outlined in the Transport Plan to be approved as part of the approved development plan or any planning permit;
- Provision of public infrastructure necessary as a result of the development and in accordance with Council’s technical standards i.e. bins, lighting, seating, bicycle hoops;
- Reconstruction of damaged roads, footpaths and any other infrastructure assets.

All works to be designed and constructed to the satisfaction of the responsible authority.

The agreement must be registered on the title to the land and the agreement may provide for it to end upon satisfaction of the obligations in the agreement.
Advertising signs

Advertising sign requirements are at Clause 52.05. Precincts 1 and 2 are in Category 3.

Exemption from notice and review

An application under any provision of this scheme, including this schedule, 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) unless the application is generally in accordance with the Incorporated Plan.

Decision guidelines

Before deciding on an application or approval of a development plan, construction management plan and operations management plan or any amendment to these plans, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Its consistency with the Incorporated Plan, including the purposes, objectives, design principles and building envelopes within that plan.
- The design response to the Yarra River environs (including visual and physical connections) and the character of the adjoining north Richmond industrial area.
- The interface and contribution to the pedestrian experience of the Yarra River, Victoria Street, Walmer Street and adjoining land.
- The movement of pedestrians and cyclists and vehicles both within sites and in their relationship to the precinct as a whole.
- The means to ensure that ground level river front spaces will be publicly accessible.
- Whether adequate provision has been made for deliveries of supplies, waste removal, emergency services and access to public transport.
- The provision of car parking and transport management.
- The nature and extent of measures to ensure an appropriate level of residential amenity protection from the impacts of noise, light and odours emitted from nearby industrial and non-residential uses, including the Abbotsford Brewery, to enable and not prejudice their ongoing operation.
- The design of buildings to provide solar access.
- The provision made for the storage of waste and materials for recycling.
- The proposed management arrangements for the maintenance of buildings, landscaping and paved areas.
- The drainage of the land and the response to flooding.
- The views of Yarra City Council.
Precinct Map – Yarra Gardens and Shamrock Street North
OVERLAYS

This section sets out the overlays which apply in this scheme.
ENVIRONMENTAL AND LANDSCAPE OVERLAYS
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas where the development of land may be affected by environmental constraints.
To ensure that development is compatible with identified environmental values.

Environmental significance and objectives

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Clause 59.01</td>
</tr>
<tr>
<td></td>
<td>The area of either lot is reduced by less than 15 percent.</td>
</tr>
<tr>
<td></td>
<td>The general direction of the common boundary does not change.</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Clause 59.02</td>
</tr>
<tr>
<td></td>
<td>The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
</tr>
</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>
<tbody>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</td>
</tr>
</tbody>
</table>

In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.

<table>
<thead>
<tr>
<th>Planted vegetation</th>
<th>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
| Regrowth                                  | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:

  - bracken (*Pteridium esculentum*); or

  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. |
<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 Conservation, Forests and Lands Act 1987).</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 costeasing 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 Mineral Resources (Sustainable Development) Act 1990 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 Surveying Act 2004) 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 Traditional Owners Settlement Act 2010; or</td>
</tr>
<tr>
<td>- an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional owners Settlement Amendment Act in 2016 (1 May 2017).</td>
</tr>
</tbody>
</table>

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

MERRI CREEK AND ENVIRONS

1.0

Statement of Environmental Significance

The Merri Creek is an environmental, heritage and recreation corridor that draws its significance from its role as a continuous corridor as it does from the qualities of individual reaches. All areas of the creek are important because they contribute to the linking of areas of environmental, heritage and recreational values along the creek.

The Merri Creek and its immediate surrounds is host to some of the most threatened ecosystems in Australia. The creek has a unique role to play in the preservation of threatened flora and fauna and the maintenance of vegetation communities that have almost been totally destroyed in other places.

The creek is the focus of a large number of pre and post-contact archaeological sites which, as a group, are highly significant. Many unknown sites are likely to exist and the areas likely to have the greatest density of these are sensitive to development.

Revegetation works and parkland development including path construction have created a linear park of outstanding quality and landscape character – one which plays an important role in the park system of the metropolitan region.

2.0

Environmental objectives to be achieved

Natural systems

- To restore and revitalise the Merri Creek and adjoining open space to a more natural and ecologically diverse environment.
- To ensure the health and vitality of the natural systems of the creek and its associated open space.
- To protect and enhance the diversity, integrity and health of the local native riparian, escarpment and plains vegetation associated with the creek.
- To ensure the suitability of the riparian, escarpment and plains vegetation habitat and in-stream habitats for local native animals.
- To improve the water quality of the creek.
- To provide for the retention, restoration and revegetation of local native species.

Waterway function

- To sustain flood, regional drainage and waterway function to enable appropriate beneficial land use and water-based activities to be undertaken.
- To provide flood management and water quality protection through works that seek to mimic natural systems and produce more natural-looking stream form.

Recreation use

- To create a peaceful, passive open space quality in the creek parkland and valley.
- To provide a linear open space link including the provision of a shared pedestrian and cycle use path along one side of the waterway corridor.
- To provide for links, views and access from surrounding areas to the creek and open space.
- To provide for a range of recreational uses in the corridor that are consistent with the environmental and open space objectives for each area or activity node.
Landscape character

- To protect and enhance the natural and visual character of the waterway corridor.
- To ensure that the scenic qualities and visual character of the waterway corridor are not compromised by the inappropriate siting of buildings, the placement of fill or lack of screening vegetation.
- To restore those sections of the waterway corridor which have been modified to create artificial bed, banks and landforms to a more natural, visually attractive and ecologically diverse landscape.

Heritage

- To protect areas of sensitivity for Aboriginal heritage.
- To protect natural landforms and geological features.

Permit requirement

The requirement for a permit to construct a building or to construct or carry out works does not apply to the following provided that sites of archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant vegetation are not disturbed:

A buildings (including foundation works of less than 1 metre below ground level) in a residential zone if it is 6 metres or less above ground level.

Works undertaken by a public authority or waterway management agency to:

- sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse.
- mitigate flooding or construct stream habitat works. revegetation works including preparatory works associated with the revegetation. construct a bicycle or shared pathway to the satisfaction of Melbourne.

The requirement for a permit to remove, destroy or lop vegetation does not apply to:

- A tree in a residential zone with a single trunk circumference of less than 0.35 metre at 1 metre above the ground and which is less than 6 metres high or has a branch spread of less than 4 metres.
- A non-indigenous tree that has the capacity to adversely affect stream flow.
- The control or removal of non-indigenous plants in preparation for revegetation works.
- Pruning of plants to maintain access or to maintain a plant’s horticultural health.
- Undertaking vegetation works in Yarra Bend Park in accordance with Yarra Bend Park Strategy Plans and Environmental Action Plans approved by Parks Victoria and Yarra Bend Park Trust.

Decision guidelines

Before deciding on an application for a permit the responsible authority must consider as appropriate:

- The Merri Creek and Environs Strategy.
- Development Guidelines for the Merri Creek.
- The views of the Merri Creek Management Committee, Melbourne Water or Aboriginal Affairs, Victoria Heritage Services Branch as considered appropriate by the responsible authority.
- Any adopted Open Space Strategy and, in particular, the relevant open space category and preferred recreational uses and development guidelines.
- The effect of the proposed removal of vegetation on the habitat value, wildlife corridor and long term viability of remnant and revegetated areas along the creek corridor.

- The significance of the native vegetation area, including the significance of plant communities or animals species supported.

- The reasons for removing the vegetation and the practicality of alternative options which do not require the removal of the native vegetation.

- The effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.

- The extent to which buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.

- The need for landscaping or vegetation screening.

- The need to ensure that buildings or works do not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.

- The need to protect trees with Aboriginal trunk or branch scars.

- The need to retain vegetation and natural features which contribute to the health and water quality of the creek and the visual character of the creek corridor.

- The need for a retention pond that acts as a filter and collector of sediment and litter.
STATEMENTS OF ENVIRONMENTAL SIGNIFICANCE

DAREBIN CREEK AND ENVIRONS

1.0 Statement of environmental significance

The Darebin Creek Valley is a major conservation, ecological and recreational resource. It is an important linear open space corridor providing habitat for flora and fauna, as well as recreational opportunities linked to the Yarra River Trail network.

2.0 Environmental objectives to be achieved

- To ensure protection and enhancement of the creek side environment as a conservation, ecological and recreational resource including the protection and improvement of water quality (inclusive of runoff) in stream and streamside habitats, geological features and indigenous riparian vegetation.

- To protect areas along the watercourse from development that may cause damage to the streamside environment as a conservation, ecological and recreation resource.

- To conserve water quality and watercourse capacity to enable appropriate beneficial land use and water based activities to be undertaken.

- To protect areas of identified local and regional habitat value in particular remnant River Red Gum species.

- To encourage the retention, restoration and revegetation of a continuous corridor of indigenous vegetation along the Darebin Creek valley in order to provide for the movement of wildlife, to enhance water quality and to contribute to the natural aesthetic of the creek.

- To coordinate and improve facilities on the river, its banks and environs to enable full enjoyment of the area by the public, whilst protecting the quality of the streamside environment.

- To provide a linear open space link including the provision of a shared use path along one side of the waterway corridor.

- To preserve the natural aesthetic and prevent deterioration of the waterway and environs.

- To coordinate development along the waterway, its bank and environs.

- To protect areas and features of sensitivity for Aboriginal Heritage.

- To encourage development consistent with any concept plan for the area.

Policy References:

“Lower Darebin Creek Concept Plan” Darebin Creek Coordinating Committee 1995

“Environmental Weed Invasions in Victoria” Department of Conservation and Natural Resources and Ecological Horticulture Pty Ltd 1992

3.0 Permit requirement

A permit is required to construct a building or carry out works. This includes a fence and road works and associated street furniture.

A permit is required to remove, destroy or lop vegetation including dead and dying trees.

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.

A requirement for a permit to construct a buildings or to construct or carry out works does not apply to:
Buildings and works in a residential, public use or public park and recreation zone if they are 6 metres or less above ground level.

Repairs and routine maintenance to buildings and works.

Works to be undertaken by a public authority or waterway management agency to:
- sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse, mitigate flooding, or construct stream habitat works,
- control or remove non indigenous plants or carry out revegetation works, including preparatory works associated with revegetation,
- maintain the landscape quality, horticultural health or bank stability of areas that have been restored or revegetated,
- construct a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water,
- bridge a watercourse, except the elevated approaches to the bridge,
provided that sites of archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant vegetation are not disturbed.

A requirement for a permit to remove, destroy or lop vegetation does not apply to:
- A tree with a single trunk circumference of less than 0.35 meter at 1 meter above the ground and which is less than 6 metres high or has a branch spread of less than 4 metres.
- Pruning a tree to regenerate or shape it to comply with the State Electricity Commission (Clearance of Lines) Act 1983.
- A tree that is dangerous.
- Destroying a tree in accordance with a notice under the Forest Act 1958, Country Fire Authority Act 1958 or Local Government Act 1989.
- Removing an environmental weed.
- Removing a non-indigenous tree that has the capacity to adversely affect the stream flow.
- Maintaining the landscape quality, horticultural health of bank stability of areas that have been restored or revegetated.
- Constructing a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water.
- The control or removal of non-indigenous plants in preparation for revegetation works.
- Pruning of plants to maintain access or maintain a plant’s horticultural health.
provided that sites or archaeological sensitivity known Aboriginal heritage sites or areas of remnant vegetation are not disturbed.

**Decision guidelines**

Before deciding on an application the responsible authority must consider:
- The State Planning Policy Framework, the Municipal Strategic Statement, Lower Darebin Creek Concept Plan and any Guidelines or local policies for the Yarra River Corridor.
- The existing use and development of the area.
- The effect of the buildings or works or planting or removal of vegetation on the habitat value, wildlife corridor and long term viability of remnant and revegetated areas along the Creek corridor.
- Whether the buildings or works or planting of removal of vegetation is likely to cause any impact in the natural environment by the erosion or the deposition of sand or silt or any other reason.

- The need to prevent pollution.

- The effect of the proposed removal of vegetation on the habitat value, wildlife corridor and long term viability of remnant and revegetated areas along the river corridor.

- The significance of affected vegetation, including significance of plant communities or significant plant and animal species supported.

- The reasons for removing the vegetation and practicality of alternative options which do not require the removal of native vegetation.

- The effect on the natural beauty and on the future enjoyment of and access to the area by the community.

- The need to ensure that buildings or works does not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.

- The need to protect trees with Aboriginal trunk or branch scars.

- The need to retain vegetation and natural features which contribute to the health and water of the Creek and character of the Creek corridor.

- The extent to which buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.

- The need for landscaping or vegetation screening of the proposed buildings or works.
**SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

**Landscape character and objectives**

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.

- Construct a fence if specified in the schedule to this overlay.

- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- A rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
### Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency works</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td></td>
<td>• in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>• where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td><strong>Fire protection</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</td>
</tr>
<tr>
<td></td>
<td>• fire fighting;</td>
</tr>
<tr>
<td></td>
<td>• planned burning;</td>
</tr>
<tr>
<td></td>
<td>• making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>• making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>);</td>
</tr>
<tr>
<td></td>
<td>• is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>• in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>• Section 65 of the <em>Forests Act 1958</em>; or</td>
</tr>
<tr>
<td></td>
<td>• Section 41 of the <em>Country Fire Authority Act 1958</em>.</td>
</tr>
<tr>
<td></td>
<td>• keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <em>Electricity Safety Act 1998</em>;</td>
</tr>
<tr>
<td></td>
<td>• 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 <em>Conservation, Forests and Lands Act 1987</em>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <em>Road Management Act 2004</em>.</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>Additional permit exemptions for bushfire protection are provided at Clause 52.12.</td>
</tr>
<tr>
<td><strong>Geothermal energy exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</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 <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</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 <em>Catchment and Land Protection Act 1994</em>.</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 <em>Catchment and Land Protection Act 1994</em>.</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 <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>
</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>Classification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noxious weeds</td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>
| Regrowth                | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| Road safety             | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| Stone exploration       | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeining and bulk sampling activities. |
| Stone extraction        | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act. |
| Surveying               | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land. |
| Traditional owners      | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: |
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1

YARRA (BIRRARUNG) RIVER CORRIDOR ENVIRONS

1.0

Statement of nature and key elements of landscape

The Yarra River has metropolitan significance as an environmental, aesthetic, cultural, recreation and tourism asset. The river corridor links parklands and reserves into a near-continuous vegetated landscape experience that provides a highly valued, secluded natural environment, enjoyed by local and metropolitan communities.

The Yarra River corridor contains some of the most valued flora, fauna, geological and geomorphological assets in metropolitan Melbourne. Indigenous vegetation and remnant riparian vegetation provide habitat and contribute to the protection of water quality and flow regimes.

This segment of the Yarra River flows through the traditional land of the Wurundjeri people. The waterway, its natural landscape and key features have social, cultural and spiritual significance, with areas such as the river flats and billabongs being important gathering spots.

The Yarra River enters the City of Yarra at its confluence with the Darebin Creek. An open flood plain comprising of parklands and golf courses initially dominates its northern and southern banks transitioning to a low rise, leafy residential character set within a highly vegetated and steeply sloping topographic environment.

As the Yarra River turns south, Yarra Bend Park dominates both banks to its confluence with the Merri Creek containing open parklands, golf courses and the popular visitor attraction of Dights Falls. The highly vegetated setting provides a strong naturalistic landscape setting providing a sense of seclusion from the highly urbanised environment beyond.

From Merri Creek to Hawthorn Bridge, the Abbotsford Convent and Collingwood Children’s Farm is located between a mix of industrial and modern medium rise residential buildings located close to the river bank presents a dominant built form interface with the river corridor. South of Hawthorn Bridge the landscape is dominated by a parkland setting, comprising recreational ovals and large open spaces. Boulevard and campus style landscaping provides canopy tree cover and some screening of built form of Melbourne Girls College, Melbourne University and Botanicca business park, setback from its banks by Yarra Boulevard.

The Yarra River begins to flow west at its confluence with Gardiners Creek. The hard urban edge of the Monash Freeway dominates the interface with the Yarra River for most this segment. A mix of industrial and commercial buildings, which includes the iconic Richmond M heritage listed grain silo and Nylex sign dominate immediate views of the river from its southern bank and from longer range.

2.0

Landscape character objectives to be achieved

Landscape, environmental and cultural values

- To protect and enhance the natural landscape character of the Yarra River corridor where the river, its topography, adjacent public open space and a continuous corridor of vegetation and canopy trees are the dominant features.

- To protect, rehabilitate and expand a continuous corridor of riparian and indigenous vegetation using appropriate indigenous species.

- To protect and enhance both terrestrial and aquatic habitat to allow the movement of wildlife within the Yarra River corridor.

- To protect and conserve areas of known indigenous and non-indigenous cultural or archaeological significance.
- To retain exotic vegetation of heritage or neighbourhood character where it contributes to landscape significance.

**Protection of waterway and the riparian zone**
- To ensure buildings and works are set back from the banks of the river to protect existing riparian vegetation, habitat and not impede its natural flood and watercourse characteristics.
- To maintain and protect the river’s natural geomorphology, banks stability and reduce the risk of erosion.
- To reduce the rate or quantity of stormwater, sediment or other pollutants directly entering watercourses or wetlands.

**Public open space and access**
- To maintain and protect linear public open space and provide for secluded areas of public open space with appropriate public access to the river and its public open space.
- To encourage the co-location or clustering of buildings, jetties and mooring facilities on public land.
- To encourage bicycle and shared paths that are well located, avoid unnecessary earthworks and vegetation removal and have good visibility to help increase safety for users.

**Siting and design of built form**
- To avoid light spill and overshadowing from buildings and works on the banks and water of the Yarra River, adjacent public open space and along bicycle and shared paths.
- To minimise the visual intrusion of buildings and works when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings.
- To ensure buildings are sited and designed to reduce visual contrast with the natural landscape character setting of the Yarra River corridor.
- To ensure all buildings are subordinate to the existing vegetation with all views of buildings filtered through vegetation.
- To ensure all fencing within close proximity to the Yarra River is low in scale, visually permeable and does not create contrast with its natural landscape character.

**Permit requirement**
A permit is required to:
- Remove, destroy or lop vegetation.
- Construct a fence within 30 metres of the banks of the Yarra River or where it abuts public open space unless all of the following requirements are met:
  - the maximum height of the fence does not exceed 1.4 metres at any point above natural ground level; and
  - the fence is of timber post and rail, and timber or metal post and wire construction.

A permit is not required to:
- Construct a building less than 6 metres in height above natural ground level at any point.
- Undertake maintenance works by, or on behalf of, a public land manager, municipality or public authority to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse, mitigate flooding, or construct stream habitat works;
- control or remove non-native vegetation in preparation for revegetation works by a municipal council or public authority;
- remove, destroy or lop any vegetation that has the capacity to adversely affect stream flow;
- maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; and
- maintain or repair an existing bicycle or shared pathway.

- Remove, destroy or lop non-native vegetation which has all of the following:
  - a trunk circumference of less than 0.35 metre at 1 metre above ground level;
  - a height of less than 6 metres; and
  - a branch spread of less than 4 metres.

- Prune vegetation to maintain or improve its health, appearance or for safety reasons.

- Remove, destroy of lop vegetation which is in accordance with the Abbotsford Convent Master Plan pursuant to Schedule 4 to the Special Use Zone.

### Application Requirements

An application must be accompanied by the following information as determined by, and to the satisfaction of the responsible authority:

- A written assessment demonstrating how the proposal meets the objectives and requirements of this overlay.
- A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all proposed buildings and works from the banks of the Yarra River.
- A site plan of all elevations including proposed building heights using Australian Height Datum (AHD) measured from natural ground level at any point including any areas of cut and fill proposed.
- A schedule of proposed materials and finishes.
- Shadow diagrams showing how the proposed buildings and works impact on:
  - the banks and water of the Yarra River between 11:00am and 2:00pm on 22 June; and
  - public open space between 11:00am and 2:00pm on 22 September.
- A visual impact assessment of proposed buildings and works from public viewing points and other locations from the Yarra River.
- A landscaping plan which includes:
  - The location and site area percentage of all existing and proposed hard or impermeable surfaces.
  - The type, location, quantity, height at maturity and botanical names of all proposed plants and details of any proposed tree protection zones.
  - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of the Yarra River.
  - How natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
  - How erosion will be managed and stability maintained or improved using soft landscaping and other techniques.
How the rate and quantity of stormwater leaving a property will be controlled and pollutants filtered, using soft landscaping techniques.

An application to remove, destroy or lop vegetation must be accompanied by the following information:

- A written explanation justifying the removal of the vegetation supported by a suitably qualified arborist assessing the proposed vegetation removal.
- A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
- Plan details of the location of proposed replanting.

### Decision Guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

#### Landscape, environmental and cultural values

- The reasons for removing vegetation and whether there are other alternative options which do not require its removal.
- The effect of the removal of vegetation on the natural landscape character, habitat protection, wildlife movement and long term viability of remnant and revegetated areas.
- Whether sufficient vegetation and canopy trees of appropriate species are to be planted to replace the removal of the existing vegetation and mature canopy trees.
- Whether the location and extent of the buildings or works encroaches into the critical root zone of mature canopy trees.
- The ability for proposed vegetation species to be matched to the local plant communities.
- Whether mature, dead and dying native vegetation should be maintained as habitat for native fauna or removed to avoid a risk or safety hazard.

#### Protection of waterway and the riparian zone

- Whether any proposed earthworks and changes in the topography of the river corridor will detrimentally impact its local natural landscape character and environmental values.
- Whether the proposed fencing allows for the free movement of wildlife minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Whether buildings and works are sufficiently set back from the banks of the Yarra River to ensure that:
  - The river’s natural flood and water course characteristics are not impacted.
  - The topography of the river and its banks are maintained as the dominant feature in the public views of the river corridor.
  - The existing riparian vegetation is protected and enhanced.
  - That views of development from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings are minimised.
- The need for litter or gross pollutant traps at entry points to drains that serve large developments known to generate litter and sediment.

#### Public open space and access

- Whether the location of boating infrastructure is consistent with the Guidelines for Approval of Jetties 2011 Melbourne Water, any requirements, plans or guidelines prepared by Parks Victoria or other public land manager.
Whether private development results in the loss of, or creates inappropriate access to the Yarra River and its parklands.

Whether opportunities exist to co-locate new buildings with existing buildings on public land, particularly at the banks of the Yarra River.

**Siting and design of built form**

- Whether buildings will protrude above the predominant tree canopy within a given area.
- The impact of any overshadowing by development:
  - on the banks and waterway of the Yarra River between 11:00am and 2:00pm on 22 June;
  - across any public open space between 11:00am and 2:00pm on 22 September.
- Whether the scale, form, siting and design of new buildings, including materials, colours and finishes, are sensitively integrated with the natural landscape setting of the river corridor.
- Whether the spacing between buildings allows for the planting of appropriate vegetation and canopy trees to filter views of the development.
- Whether the existing and proposed vegetation fronting the Yarra River will filter the majority of views of the proposed development.

**Reference documents**


*Guidelines for Approval of Jetties 2011*, Melbourne Water

*Shared Pathway Guidelines 2009*, Melbourne Water

*Yarra Bend Park Strategy Plan 1999*, Parks Victoria

*The Middle Yarra Concept Plan – Dights Falls to Burke Road 1990*, Melbourne Parks and Waterways.

*The Lower Yarra Concept Plan – Dights Falls to Punt Road 1986*, Melbourne Metropolitan Board of Works.

**Transitional arrangements**

The requirements of this schedule do not apply to:

- Development of land for which a permit under the *Building Act 1993* was issued under the requirements of this planning scheme before 24 February 2017.
- Development of land for which a planning permit was issued before 24 February 2017 under the requirements of this planning scheme.

**Expiry**

The requirements of this schedule cease to have effect after 31 January 2021.
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>
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<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
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<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>
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<tr>
<td>Subdivide land into 2 lots if:</td>
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<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
</tbody>
</table>
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.

Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the Heritage Act 2017.

Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the Cemeteries and Crematoria Act 2003.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- a registered heritage place included in the Victorian Heritage Register established under Part 3 of the Heritage Act 2017.

Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.
Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*. 
## SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

### Application requirements

None specified.

### Heritage places

The requirements of this overlay apply to both the heritage place and its associated land.

<table>
<thead>
<tr>
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<th>Prohibited uses may be permitted?</th>
<th>Aboriginal heritage place?</th>
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</thead>
<tbody>
<tr>
<td>HO1</td>
<td>40 ABBOTSFORD STREET ABBOTSFORD Timber Cottage</td>
<td>Yes</td>
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<td>HO2</td>
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<td>No</td>
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<td>HO3</td>
<td>2-4 BOND STREET ABBOTSFORD Former Grosvenor Common School</td>
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<td>HO4</td>
<td>31-35 CHURCH STREET ABBOTSFORD Terrace</td>
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<td>Aboriginal heritage place?</td>
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<td>HO5</td>
<td>67 CHURCH STREET ABBOTSFORD River House</td>
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<td>HO6</td>
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<td>No</td>
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<td>HO7</td>
<td>29 CLARKE STREET ABBOTSFORD Yarradale Flats</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO8</td>
<td>31-37 CLARKE STREET ABBOTSFORD Terrace</td>
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<td>HO9</td>
<td>CLARKE STREET / ST HELIERS STREET ABBOTSFORD Former Convent of the Good Shepherd</td>
<td>-</td>
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<td>Yes Ref No H951</td>
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<tr>
<td>HO9</td>
<td>CLARKE STREET / ST HELIERS STREET ABBOTSFORD</td>
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<td>Former Convent of the Good Shepherd complex, including surrounding land uses and associated trees</td>
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<td>HO10</td>
<td>CNR HENRY GIPPS STREET ABBOTSFORD</td>
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<td>Collingwood United Masonic Temple</td>
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<td>HO11</td>
<td>2 GREENWOOD STREET ABBOTSFORD</td>
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<td>Former Stables</td>
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<td>Former Phoenix Biscuit Co. complex</td>
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YARRA PLANNING SCHEME
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<tr>
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<td>HO15</td>
<td>2 HODDLE STREET ABBOTSFORD Former Robert Reid Clothing Factory</td>
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<td>HO17</td>
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<td>HO18</td>
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<tr>
<td>HO19</td>
<td>324-326 HODDLE STREET ABBOTSFORD Former Trescowthick’s Boot Factory</td>
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## Aboriginal Heritage Place?

Prohibited uses may be permitted?

Included on the Victorian Heritage Register under the Heritage Act 2017?

Outbuildings or fences which are not exempt under Clause 43.01-4

Tree Controls Apply?

Internal Alteration Controls Apply?

External Paint Controls Apply?

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<td>663 VICTORIA STREET ABBOTSFORD Former Alma Woolworks Complex</td>
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<td>31 YARRAFORD AVENUE ALPHINGTON House</td>
<td>Yes</td>
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<td>94 ALEXANDRA PARADE CLIFTON HILL Shot Tower</td>
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<td>183-185 GOLD STREET CLIFTON HILL Gold Street Primary School No. 1360</td>
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<td>19-27 GRANT STREET CLIFTON HILL Former Clifton Sawmills and Box Factory Chimney</td>
<td>Yes</td>
<td>No</td>
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<td>47-55 GRANT STREET CLIFTON HILL Houses</td>
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<td>1 HEIDELBERG ROAD CLIFTON HILL Clifton Hill Railway Station Complex</td>
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<td>199 QUEENS PARADE CLIFTON HILL Former United Kingdom Hotel (now McDonald’s)</td>
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<td>QUEENS PARADE, BETWEEN ALEXANDRA PARADE &amp; DELBRIDGE STREET CLIFTON HILL/ NORTH FITZROY Street Trees</td>
<td>No</td>
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<td>15-17 BEDFORD STREET COLLINGWOOD Former Boot Factory</td>
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<td>HO96</td>
<td>33-47 BEDFORD STREET COLLINGWOOD Purfleet Cottages</td>
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<td>66 CROMWELL STREET COLLINGWOOD Cromwell Heights</td>
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<td>1 DERBY STREET COLLINGWOOD Derby House</td>
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<td>3-7 DERBY STREET COLLINGWOOD Terrace</td>
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<td>10-16 DERBY STREET COLLINGWOOD Terrace</td>
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<td>51-55 GIPPS STREET COLLINGWOOD Glasshouse Hotel</td>
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<td>31 HARMSWORTH STREET COLLINGWOOD Former Children’s Church</td>
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<td>16 ISLINGTON STREET COLLINGWOOD Former Smalley &amp; Harkness Boot Factory</td>
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<td>61 ISLINGTON STREET COLLINGWOOD James Hood &amp; Co. Malthouse</td>
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<td>8 -10 JOHNSTON STREET COLLINGWOOD Belmont</td>
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<td>51 KEELE STREET COLLINGWOOD Former Friendly Societies Hotel</td>
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<td>143 -145 LANGRIDGE STREET COLLINGWOOD Terrace</td>
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| HO113      | 160-176 LANGRIDGE STREET COLLINGWOOD Terrace  
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| HO114      | COLLINGWOOD COLLEGE, CNR MCCUTCHEON WAY AND CROMWELL STREET COLLINGWOOD  
Doll’s House  
**Incorporated plan:**  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | -                               | -                                 | -                   | Yes Ref No H954                                              | Yes                                                                 | No                               |                             |
| HO115      | 12 NAPOLEON STREET COLLINGWOOD  
Houses  
**Incorporated plan:**  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | Yes                             | No                                | No                  | Yes                                                          | No                                                                 | No                               | No                           |
| HO116      | NORTHUMBERLAND STREET COLLINGWOOD  
Former Victoria Old Distillery  
**Incorporated plan:**  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | Yes                             | No                                | No                  | No                                                           | No                                                                 | No                               | No                           |
| HO117      | 46 OTTER STREET COLLINGWOOD  
St Joseph’s Presbytery  
**Incorporated plan:** | Yes                             | No                                | No                  | Yes                                                          | No                                                                 | No                               | No                           |
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<td>57-63 OXFORD STREET COLLINGWOOD Terraces</td>
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<td>58-62 OXFORD STREET COLLINGWOOD Terrace</td>
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<td>No</td>
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<td>79-93 OXFORD STREET COLLINGWOOD Part of former Foy &amp; Gibson Complex (Furnishings Warehouse and Clothing Factory)</td>
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<td>68-158 OXFORD STREET 103-115 OXFORD STREET 158-172 OXFORD STREET 107-131 CAMBRIDGE STREET AND 7 STANLEY STREET COLLINGWOOD Part of former Foy &amp; Gibson Complex</td>
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<td>92-94 PERRY STREET COLLINGWOOD Terrace <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
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<td>112A ROKEBY STREET COLLINGWOOD Former United Tannery and Boot Factory <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
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<td>89 RUPERT STREET COLLINGWOOD Former Davis’ Pickle And Sauce Factory <strong>Incorporated plan:</strong></td>
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<td>114 SMITH STREET COLLINGWOOD Grace Darling Hotel</td>
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<td>174-180 SMITH STREET COLLINGWOOD Former Collingwood Post Office</td>
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<td>Former Ebenezer Particular Baptist Church</td>
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| HO145     | 259 WELLINGTON STREET COLLINGWOOD Portsea House  
Incoporated plan:  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | Yes                           | No                                | No                  | No                                                            | No                                                            | No                           | No                        |
| HO146     | FAIRFIELD PARK DRIVE FAIRFIELD Fairfield Boathouse  
Incorporated plan:  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | Yes                           | No                                | No                  | No                                                            | No                                                            | No                           | No                        |
| HO147     | FAIRFIELD PARK DRIVE FAIRFIELD Fairfield Park  
Incorporated plan:  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | No                            | No                                | Yes                 | No                                                            | No                                                            | No                           | No                        |
| HO148     | 17 BELL STREET FITZROY  
Former Exhibition High School Residence | -                            | -                                 | -                   | -                                                            | Yes Ref No H1726                                                | No                           | No                        |
| HO149     | 40-48 BELL STREET FITZROY  
Former National School | -                            | -                                 | -                   | -                                                            | Yes Ref No H1031                                                | No                           | No                        |
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<td>25-37 BRUNSWICK STREET FITZROY Barcelona Terrace Gardens</td>
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<td>GEORGE STREET FITZROY State School No. 450</td>
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<td>2 STAWELL STREET RICHMOND Fincham Organ Factory <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO285</td>
<td>291 SWAN STREET RICHMOND Former Central Club Hotel <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
<td>Yes</td>
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<td>HO286</td>
<td>365 SWAN STREET RICHMOND Former Burnley Theatre <strong>Incorporated plan:</strong></td>
<td>Yes</td>
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<td>No</td>
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<td>Yarra River SWAN STREET RICHMOND Wallen Road Bridge</td>
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<td>216 SWAN STREET CREMORNE Former State Bank</td>
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<td>316-326 VICTORIA STREET RICHMOND Byrne’s Arcade Terrace</td>
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<td>HO291</td>
<td>488-496 VICTORIA STREET RICHMOND Former Simpson’s Glove Factory</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Aboriginal heritage place?</td>
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<td>Former Freemason’s Tavern</td>
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<td>79-93 &amp; 80-94 WELLINGTON STREET RICHMOND</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Warrick Terrace and Leicester Terrace</td>
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<td>Yarra River YARRA BOULEVARD RICHMOND</td>
<td>No</td>
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<td>Hawthorn Railway Bridge</td>
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<td>THE BOULEVARD RICHMOND</td>
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<td>The Boulevard Parklands, The Boulevard, Richmond</td>
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<td>HO300</td>
<td>YARRA BEND PARK YARRA BEND</td>
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<td>YARRA BEND ROAD FAIRFIELD</td>
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<td>Former Fairlea Womens Prison, Yarra Bend Asylum (includes Asylum Gate Pillar, Remnant Trees)</td>
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<td>Deep Rock Swimming Club, includes foundation stone and pioneer memorial stones</td>
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<td>Barkly Gardens Precinct, Richmond</td>
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<td>Bridge Road Precinct, Richmond</td>
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<td>Campbell Street Precinct, Collingwood</td>
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<td>Charles Street Precinct, Abbotsford</td>
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<td>Yarra Falls Precinct Abbotsford</td>
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<td>Church Street Precinct, Richmond</td>
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<td>Fairchild Street Precinct, Abbotsford</td>
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<td>Park Crescent Precinct, Alphington</td>
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<td>Princes Hill Precinct</td>
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<td>Racecourse Precinct, Richmond</td>
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| HO344      | Yarra Bend Road, Fairfield  
Fairfield Hospital Grounds (former)  
**Incorporated plan:**  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | Yes | No | Yes | No | No | Yes | No |
| HO345      | 38-40 BRUNSWICK STREET, FITZROY  
Former Melbourne Veterinary College | - | - | - | - | Yes Ref No H1939 | No | No |
| HO346      | 18, 20A & 20B DARLINGTON PARADE, RICHMOND  
Vaucluse College | - | - | - | - | Yes Ref No H1927 | No | |
| HO347      | 20-22 BRUNSWICK STREET FITZROY  
Cathedral Hall | - | - | - | - | Yes Ref No H1967 | No | No |
| HO349      | Rosella Factory Complex, Buildings 1, 2 (façade and 8 metres depth of building only), 6, 7, 12, 13, 15, and 18 (façade and 7.5 metres depth of building only), with emphasis on fabric from the main Rosella complex development period (c1905- 1940).  
**Incorporated plan:**  
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014 | Yes | No | No | No | No | No | No |
| HO350      | 2 GOUGH STREET CREMORNE  
Nylex sign  
2 & 15 GOUGH STREET CREMORNE STREET | - | - | - | - | Yes Ref No H2049 & | No | No |
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<td>HO351</td>
<td>Former “Spicer Factory”, 163-167 Noone Street, Clifton Hill (for a depth of 14.5 metres from the front façade/Noone Street title boundary). Incorporated plan: Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
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<td>HO352</td>
<td>LULIE STREET ABBOTSFORD Victoria Park The heritage place includes garden reserve</td>
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<td>651-653 VICTORIA STREET ABBOTSFORD Skipping Girl Neon Sign</td>
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<td>35 JOHNSTON STREET COLLINGWOOD Keith Haring Mural</td>
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<td>ALEXANDRA PARADE FITZROY “Aqua Profonda” sign, Fitzroy Pool</td>
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<td>185-193 FITZROY STREET AND 12 COWELL STREET FITZROY Christian Israelite Sanctuary</td>
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<td>Yes Ref No H97</td>
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<td>90-92 SWAN STREET CREMORNE Former Richmond South Post Office</td>
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### YARRA PLANNING SCHEME

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| HO465     | 218-222 NICHOLSON STREET FITZROY  
Former Avon Butter Factory                                                                                                                                                                                                                       | -                             | -                                   | -                    | -                                                             | Yes Ref No H2315                                                          | No                              | No                          |
| HO466     | 8-12 SPRING STREET AND 14-16 ARGYLE STREET FITZROY  
Former cordial factory                                                                                                                                                                                                                              | -                             | -                                   | -                    | -                                                             | Yes Ref No H2257                                                          | No                              | No                          |
| HO467     | 1 HOPETOUN PLACE  
FITZROY NORTH  
Former Melbourne Tramways and Omnibus Company Stables                                                                                                                                                                                          | -                             | -                                   | -                    | -                                                             | Yes Ref No H2336                                                          | No                              | No                          |
| HO468     | 111 QUEENS PARADE  
FITZROY NORTH  
Porter prefabricated iron store                                                                                                                                                                                                                       | -                             | -                                   | -                    | -                                                             | Yes Ref No H2243                                                          | No                              | No                          |
| HO469     | YAN YEAN WATER SUPPLY SYSTEM  
Clonbinane To Fitzroy North                                                                                                                                                                                                                           | -                             | -                                   | -                    | -                                                             | Yes Ref No H2333                                                          | No                              | No                          |
<p>| HO470     | 31 Leslie Street, Richmond                                                                                                                                                                                                                                          | No                             | No                                  | No                   | No                                                             | No                                                                              | No                              | No                          |
| HO471     | Abinger Street Precinct, Richmond                                                                                                                                                                                                                          | Yes (22-28, 23 &amp; 25 Abinger St and 37-45 &amp; 40-50 Lyndhurst St only) | No                                  | No                   | No                                                             | No                                                                              | No                              | No                          |</p>
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<th>Prohibited uses may be permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO472</td>
<td>Bell Street Precinct, Richmond</td>
<td>Yes (15-21 Bell St &amp; 204-208 Coppin St only)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO474</td>
<td>Burnley Street Precinct, Richmond</td>
<td>Yes (377, 380, 400-402 Burnley St and 413-415 Swan St only)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO476</td>
<td>Edinburgh Street Precinct, Richmond</td>
<td>Yes (42 &amp; 58-60 Edinburgh St and 12 Newry St Only)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO477</td>
<td>Hosie Street Precinct, Richmond</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>HO478</td>
<td>Mitchell Street Precinct, Richmond</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>HO479</td>
<td>Neptune Street Precinct, Richmond</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>HO480</td>
<td>205-211 QUEENS PARADE FITZROY NORTH Former Clifton Motor Garage</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2380</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO481</td>
<td>Stawell Street Precinct, Richmond</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>HO482</td>
<td>84-86 ABINGER STREET, RICHMOND</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
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</tr>
<tr>
<td>HO483</td>
<td>W. James &amp; Co. Sack Merchants (former)</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>HO483</td>
<td>254 BURNLEY STREET, RICHMOND House</td>
<td>Yes</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>HO484</td>
<td>327-329 BURNLEY STREET, RICHMOND Greek Orthodox Church</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>HO485</td>
<td>8 CORSAIR STREET, RICHMOND Opportunity Club for Girls (former)</td>
<td>Yes</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>HO486</td>
<td>30 CORSAIR STREET, RICHMOND House</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>HO487</td>
<td>8 DICKENS STREET, RICHMOND House</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>HO488</td>
<td>32-36 FARMER STREET, RICHMOND Terrace</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>HO489</td>
<td>85-91 LORD STREET, RICHMOND Houses</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>HO490</td>
<td>72-80 STAWELL STREET, RICHMOND Houses</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>HO491</td>
<td>69 &amp; 89 TYPE STREET, RICHMOND Floyd Green &amp; Co. Glassworks (former)</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>HO492</td>
<td>33-39 WALL STREET, RICHMOND Terrace</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
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<tr>
<td>HO495</td>
<td>62-68 Appleton Street, Richmond</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>HO498</td>
<td>472-484 NAPIER STREET, FITZROY NORTH</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
|           | **Interim control**  
**Expiry date**: 12/01/2020 |                  |                                      |                     |                                                               |                                                               |                                   |                                   |
| HO501     | 223-239 SWAN STREET, RICHMOND  
Shops and Residences | No                            | No                                  | No                  | No                                                            | No                                                            | No                                | No                                |
|           | **Expiry date**: 30/12/2019 |                  |                                      |                     |                                                               |                                                               |                                   |                                   |
| HO502     | 115 VICTORIA PARADE FITZROY  
Former Commonwealth Note and Stamp Printing Department | -                             | -                                   | -                   |                                                               | Yes Ref No H2372                   | No                                | No                                |
| HO503     | 2 JAMES STREET, ABBOTSFORD  
Former Commerical Stables and Hitching Posts | No                            | No                                  | No                  | No                                                            | No                                                            | No                                | No                                |
| HO505     | JOHNSTON STREET EAST  
The heritage place includes 219-41 & 246-74 Johnston Street and the Johnston Street railway bridge including the brick and bluestone abutments | Yes – 219-23 & 258-60 Johnston St only | No                                  | No                  | No                                                            | No                                                            | No                                | No                                |
|           | **Interim control**  
**Expiry Date**: 31/12/2019 |                  |                                      |                     |                                                               |                                                               |                                   |                                   |
<p>| HO506     | 33-45 DERBY STREET, COLLINGWOOD | No                            | No                                  | No                  | No                                                            | No                                                            | No                                | No                                |</p>
<table>
<thead>
<tr>
<th>PS map ref</th>
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</thead>
<tbody>
<tr>
<td>Expiry Date</td>
<td>Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</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>17/10/2020</td>
<td>HO507 18-22 DERBY STREET, COLLINGWOOD <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</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>17/10/2020</td>
<td>HO508 32-34 THOMAS STREET, RICHMOND <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</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>17/10/2020</td>
<td>HO509 200-206 CHURCH STREET, RICHMOND <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>30/12/2019</td>
<td>HO522 273A SWAN STREET, RICHMOND Shop And Residence <strong>Incorporated plan:</strong> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</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>30/12/2019</td>
<td>HO523 323-325 SWAN STREET, RICHMOND Pair of Shops and Residences <strong>Incorporated plan:</strong></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
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<td>Tree Controls Apply?</td>
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</tr>
<tr>
<td>30/12/2019</td>
<td>Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</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>HO524</td>
<td>Swan Street West Precinct</td>
<td>Incorporated plan:</td>
<td>Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

**Design objectives**

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

**Buildings and works**

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.

- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- An outdoor swimming pool.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</td>
</tr>
</tbody>
</table>

### Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Subdivision

#### Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.
  
- The subdivision does not create a vacant lot.

### Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1.

YARRA (BIRRARUNG) RIVER CORRIDOR PROTECTION

1.0

Design objectives

Landscape protection

- To protect and enhance the natural landscape character of the Yarra River corridor where the waterway, its topography, adjacent public open space and a continuous corridor of vegetation and canopy trees are the dominant features.

- To minimise the visual intrusion of development when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings.

- To ensure development on visible hillslopes, crests, skylines and ridgelines is subordinate to existing local vegetation and natural landscape character setting.

- To ensure sufficient space is provided between buildings to maintain views to the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.

Siting and design

- To ensure new buildings are appropriately set back from the banks of the Yarra River and adjacent public open space.

- To avoid additional light spill and overshadowing from buildings on the banks and water of the Yarra River, its adjacent public open space, bicycle and shared paths.

- To ensure building elevations are presented at a variety of heights, avoid visual bulk and are stepped back from the frontage of the Yarra River and adjacent public open space.

- To ensure all external colours and finishes are non-reflective and do not create contrast with the natural landscape character setting.

- To ensure public views of buildings are filtered through vegetation and trees.

Site coverage and permeability

- To avoid tennis courts, swimming pools and other structures within identified setbacks from the Yarra River to protect and enhance the natural landscape character setting and riparian zone.

- To minimise impervious surfaces to allow for the filtration of water and retention and establishment of vegetation and canopy trees.

- To ensure all fencing within close proximity to the Yarra River is low in scale, visually permeable and does not create contrast with its natural landscape character setting.

2.0

Buildings and works

A permit is required to:

- Construct a new, or replace an existing fence within the minimum setback specified in each table of this schedule or where it abuts public open space, unless all of the following requirements are met:
  - the maximum height of the fence does not exceed 1.4 metres at any point above natural ground level; and
  - the fence is of timber post and rail or timber post and wire construction.

- Construct a swimming pool or tennis court associated with a dwelling.
Requirements

The following requirements must be met. A permit can not be granted to vary the following:

- Buildings and works must not cast any additional shadow across the Setback Reference Line specified in each Setback Map Reference to this schedule between 11:00am and 2:00pm on 22 June.

- A new building must:
  - Not exceed the maximum height specified in each table of this schedule measured from natural ground level.
  - Be set back at least the minimum specified in each table of this schedule from the Yarra River.

- The complete or partial replacement of an existing building within the minimum setback specified in each table of this schedule from the Yarra River must not:
  - Exceed the maximum building height specified in each table of this schedule from natural ground level;
  - Reduce the existing setback of the building from the Yarra River and public open space; and
  - Increase the existing gross floor area of the existing building.

The following requirements should be met. A permit may be granted to vary the following:

- Fencing within the minimum setback specified in each table of this schedule from the Yarra River should:
  - Not impede the flow of flood waters;
  - Not be more than 1.4 metres above natural ground level; and
  - Be visually permeable and utilise non-reflective colours and finishes.

- Buildings should not cast any additional shadow across any public open space between 11:00am and 2:00pm on 22 September.

- The site area covered by buildings (including tennis courts and swimming pools) and other impervious surfaces within a residential area should not exceed 40 per cent of the total area of land within a lot.

- Tennis courts, swimming pools and other outbuildings associated with a dwelling should be set back the minimum distance specified in each table of this schedule from the Yarra River.

- Building materials should utilise non-reflective colours and finishes to blend with the existing natural landscape character of an area.

Definitions

The following definitions are to be read in conjunction with the following tables and corresponding setback reference maps:

1. **Mandatory Minimum Setback Line**: The minimum building setback from the Yarra River is the specified distance measured horizontally in metres from the Setback Reference Line.

2. **Sloping site**: Where 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.

3. **Setback Reference Line**: The closest parallel property boundary adjoining the Yarra River defining the location of its banks and the commencement of the waterway identified on each Setback Reference Map to this schedule.
Darebin Creek: Includes a building setback of 30 metres from the Setback Reference Line which is the closest parallel property boundary to Darebin Creek identified on each Setback Reference Map to this schedule.

<table>
<thead>
<tr>
<th>DDO1</th>
<th>Location</th>
<th>Mandatory Requirements</th>
<th>Map Area Ref.</th>
<th>Maximum Height</th>
<th>Sloping</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sloping</td>
<td>Minimum Setback Line (MMSL)¹</td>
<td>Whole of site</td>
<td>8m</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Latrobe Gold Club, Alphington</td>
<td>100m</td>
<td>9m</td>
<td>9m</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>30m¹</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.
<table>
<thead>
<tr>
<th>DDO1</th>
<th>Location</th>
<th>Mandatory Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map Area Ref.</td>
<td>Minimum Setback Line (MMSL)</td>
<td>Maximum Height</td>
</tr>
<tr>
<td>B</td>
<td>Park Street to Rex Avenue, Fairfield</td>
<td>Whole of site</td>
</tr>
<tr>
<td></td>
<td>40m</td>
<td>8m</td>
</tr>
</tbody>
</table>

**DDO1 Setback Map Reference Area B**
- Park Crescent & Rex Avenue, Fairfield

**Legend**
- **Area Boundary**
- **Mandatory Minimum Setback Line** *
- **Setback Reference Line**

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.
## DDO1 Location

<table>
<thead>
<tr>
<th>Mandatory Requirements</th>
<th>Maximum Height</th>
<th>Minimum Setback Line (MMSL)</th>
<th>Beyond 20m from MSL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Beyond 20m from MSL</td>
<td>0 to 5m from MSL</td>
<td>5 to 20m from MSL</td>
</tr>
<tr>
<td>C</td>
<td>Treenry Crescent and Johnston Street, Abbotsford</td>
<td>30m</td>
<td>11m</td>
</tr>
</tbody>
</table>

**DDO1 Setback Map Reference Area C**

- Treenry Crescent & Johnston Street, Abbotsford

**Legend**
- Area Boundary
- Mandatory Minimum Setback Line
- Setback Reference Line

*Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.*
<table>
<thead>
<tr>
<th>Location</th>
<th>Minimum Setback Line (MMSL)</th>
<th>Maximum Height</th>
<th>Beyond 15m from MSL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marine Parade and Harper Street, Abbotsford</td>
<td>30m</td>
<td>8m</td>
<td>11m</td>
</tr>
</tbody>
</table>

### DDO1 Setback Map Reference Area D - Marine Parade and Harper Street, Abbotsford

**Legend**

- **Area Boundary**
- **Mandatory Minimum Setback Line**
- **Setback Reference Line**

*Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.*
### Discretionary Requirements

<table>
<thead>
<tr>
<th>Location</th>
<th>Mandatory Requirements</th>
<th>Discretionary Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minimum Setback Line (MMSL)¹</td>
<td>Maximum Height</td>
</tr>
<tr>
<td>E</td>
<td>Beyond 25m from MMSL</td>
<td>Beyond 25m from MMSL</td>
</tr>
<tr>
<td>24 Mayfield St and 63 Church St, Abbotsford</td>
<td>20m</td>
<td>18m</td>
</tr>
<tr>
<td>Victoria Crescent, Abbotsford</td>
<td>30m</td>
<td>18m</td>
</tr>
</tbody>
</table>

¹ Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.
## YARRA PLANNING SCHEME

<table>
<thead>
<tr>
<th>DDO1</th>
<th>Location</th>
<th>Mandatory Requirements</th>
<th>Discretionary Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map</td>
<td>Location</td>
<td>Minimum Setback Line (MMSL) 1</td>
<td>Maximum Height</td>
</tr>
<tr>
<td>Area</td>
<td>Ref.</td>
<td>0 to 10m from MMSL</td>
<td>10 to 25m from MMSL</td>
</tr>
<tr>
<td>F</td>
<td>Nelson and Southampton Street, Abbotsford</td>
<td>30m</td>
<td>11m</td>
</tr>
</tbody>
</table>

**DDO1 Setback Map Reference Area F** - Nelson Street & Southampton Crescent, Abbotsford

---

**Legend**

- **Area Boundary**
- **Mandatory Minimum Setback Line**
- **Setback Reference Line**

*Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable-qualified surveyor.*
<table>
<thead>
<tr>
<th>DDO1</th>
<th>Location</th>
<th>Mandatory Requirements</th>
<th>Discretionary Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map</td>
<td>Area Ref.</td>
<td>Maximum Height</td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>Victoria Street, Abbotsford</td>
<td>25m 11m 18m</td>
<td>18m</td>
</tr>
</tbody>
</table>

**DDO1 Setback Map Reference Area G - Victoria Street, Abbotsford**

**Legend**
- Area Boundary
- Mandatory Minimum Setback Line §
- Setback Reference Line

§ Setback line is an approximate location only. This precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.
<table>
<thead>
<tr>
<th>DDO1</th>
<th>Location</th>
<th>Mandatory Requirements</th>
<th>Discretionary Requirements</th>
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</thead>
<tbody>
<tr>
<td>Map</td>
<td>Area Ref.</td>
<td>Maximum Height</td>
<td>Maximum Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 to 10m from MMSL</td>
<td>Beyond 25m from MMSL</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 to 25m from MMSL</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Beyond 25m from MMSL</td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>River Street, Richmond</td>
<td>30m</td>
<td>18m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11m</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>18m</td>
<td></td>
</tr>
</tbody>
</table>

**Discretionary Requirements**

- Maximum Height
  - Beyond 25m from MMSL: 18m
  - 10 to 25m from MMSL: 18m
  - 0 to 10m from MMSL: 11m
  - Beyond 25m from MMSL: 18m

**Mandatory Requirements**

- Minimum Setback Line (MMSL)
  - Beyond 25m from MMSL: 30m
  - 10 to 25m from MMSL: 11m
  - 0 to 10m from MMSL: 18m

---

**Legend**

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitably qualified surveyor.
<table>
<thead>
<tr>
<th>DDO1</th>
<th>Location</th>
<th>Mandatory Requirements</th>
<th>Discretionary Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Minimum Setback Line</td>
<td>Maximum Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(MMSL)</td>
<td>0 to 3m from MMSL</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Beyond 3m from MMSL</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Melbourne Girls College</td>
<td>30m</td>
<td>7.5m</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>15m</td>
</tr>
<tr>
<td></td>
<td>Melbourne University</td>
<td>40m</td>
<td></td>
</tr>
</tbody>
</table>
Discretionary Requirements

<table>
<thead>
<tr>
<th>Location</th>
<th>Mandatory Requirements</th>
<th>Discretionary Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>J</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Melbourne Polytechnic, Clifton Hill</td>
<td>50m</td>
<td>15m</td>
</tr>
<tr>
<td>Heidelberg Road, Alphington</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Motorway precinct, Cremorne</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
DDO1 Setback Map Reference Area J - Darebin Creek, Alphington

LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.
**YARRA PLANNING SCHEME**

**DD01 Setback Map Reference Area J - Melbourne Polytechnic, Fairfield, Heidelberg Road, Fairfield**

**Legend**
- **Area Boundary**
- **Mandatory Minimum Setback Line**
- **Setback Reference Line**

*Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.*
Application requirements

An application must be accompanied by the following information as appropriate:

- A written assessment demonstrating how the proposal meets the objectives and requirements of this overlay.
- A site survey plan certified by a qualified surveyor clearly showing the location of the mandatory minimum setback line and any existing and proposed buildings and works.
- A site plan showing all elevations including the maximum building height using Australian Height Datum (AHD) measured from natural ground level at any point including any areas of cut and fill.
- A schedule of proposed materials and finishes.
- Shadow diagrams demonstrating how the proposed buildings and works meet the overshadowing provisions of this schedule.
- A visual impact assessment of proposed buildings and works from public viewing points within the Yarra River corridor as determined by the responsible authority.
- The location and site percentage calculation of all buildings (including tennis courts and swimming pools) and other existing and proposed impermeable surfaces.
- A landscaping plan, including written explanation which shows:
  - The type, location, quantity, height at maturity and botanical names of all proposed plants and details of any proposed tree protection zones.
  - How natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
  - How erosion will be managed and stability maintained or improved using soft landscaping techniques.
  - How the rate and quantity of stormwater leaving a property will be controlled and pollutants filtered, during and post construction.

Where the complete or partial replacement of an existing building does not meet the minimum setback specified in a table to this schedule from the Yarra River, the application must be accompanied by a report which:

- Provides a calculation of the existing and proposed gross floor area of all buildings.
- Explains why the proposed building or works cannot be set back at least the minimum distance specified in the table to this schedule from the Yarra River.
- Identifies any impacts on existing vegetation, the land, the flow of floodwaters or other environmental matters.
- Explains how any environmental impacts will be mitigated.

Referral of applications

In accordance with section 55 of the Act, all applications within 100 metres of the Yarra River must be referred to Melbourne Water unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and Melbourne Water.

Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:
Landscape protection
- The visibility of any proposed buildings and works when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings.
- Whether sufficient space is provided between buildings to maintain views of the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.
- Whether the siting of buildings and works avoids the removal of existing riparian vegetation.
- Whether any earthworks will affect public views of the river corridor.
- The need for additional landscaping or new vegetation screening to filter views of proposed buildings and works.

Siting and design
- Whether any additional overshadowing of public open space can be avoided by redesigning or relocating a proposed building or parts of it.
- Whether siting of proposed buildings impacts the river’s natural flood and watercourse characteristics.
- Whether any proposed garages and outbuildings ancillary to a dwelling are integrated into the overall design to minimise the appearance of built form impacting public views of the river corridor.
- Whether the location, bulk, outline and appearance of any proposed building or works are in keeping with or enhance the natural landscape character and appearance of the Yarra River.
- The appropriateness of proposed materials and finishes for any proposed buildings and works in reducing contrast.

Site coverage and permeability
- The need to minimise impervious surfaces to allow for filtration of water and retention and establishment of indigenous vegetation and canopy trees.
- The need to limit areas, (including tennis courts and swimming pools) and other impervious surfaces within the minimum setback distance specified in a table to this schedule to allow for replanting and vegetation growth.
- Whether adequate spacing is provided between buildings to maintain and create views to the Yarra River and its corridor.

Reference documents
Lower Yarra River Study - Recommendations Report, 2016, Department of Environment, Land, Water and Planning

Transitional arrangements
The requirements of this schedule do not apply to:
- Development of land for which a permit under the Building Act 1993 was issued under the requirements of this planning scheme before 24 February 2017.
- Development of land for which a planning permit was issued before 24 February 2017 under the requirements of this planning scheme.

Expiry
The requirements of this schedule cease to have effect after 31 January 2021.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**

**MAIN ROADS AND BOULEVARDS**

1.0

**Design objectives**

- To recognise the importance of main roads to the image of the City.
- To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.
- To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.
- To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.
- To encourage high quality contemporary architecture.
- To encourage urban design that provides for a high level of community safety and comfort.
- To limit visual clutter.
- To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.

2.0

**Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider as appropriate:

- The contribution of the proposal to the streetscape.
- The design, height and visual bulk of the development in relation to surrounding land uses and developments.
- The design, height and form of the development in relation to the built form character of the street.

**Policy References**

City of Yarra Built Form Review 2003
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3

AUSTRALIAN DYEING COMPANY SITE, CLIFTON HILL

1.0

Design objectives

To ensure that there is an appropriate transition in building scale across the site having regard to its proximity to the Eastern Freeway, the parklands of the Merri Creek and Yarra River and the Eastern Clifton Hill Heritage Precinct.

To ensure that the scale and form of new buildings have regard to the identified heritage building on the site.

To adaptively reuse the former ‘Spicer’ factory building at 163-167 Noone Street, Clifton Hill in any re-development of the site.

To ensure that new development is adequately articulated and modulated within the height and setback controls.

To encourage design excellence that recognises the industrial character of the site and the local heritage significance of the surrounding South East Clifton Hill area.

To encourage the redevelopment of the land.

To ensure that the combination of uses and intensity of any development is compatible with the capacity of the existing road system and any proposed modifications to accommodate any increase in traffic.

To respond to the neighbourhood character and site influences through development of buildings that:

- Are viewed as 2 and 3 storey building heights along the Noone Street frontage.
- Address the public realm.
- Acknowledge the existing strong building forms and which give a hard edge definition to the street.
- Utilise contemporary building forms and materials and avoid reproduction architecture.
- Avoid dominance of vehicle parking or access ways along Noone Street in particular.

To encourage energy efficient building design that will assist in establishing ecologically sustainable environment through the reduction in fossil fuels, greenhouse gas emissions and the use of renewable energy sources.

To incorporate references to the former industrial history of the site in the form of public artwork, landscaping and heritage interpretation.

To provide for pedestrian permeability through the site and where appropriate allow for vehicular access into the site.

To provide streetscape improvements along Alexandra Parade East adjoining the Freeway and along Noone and Gray Streets adjoining the site.

To provide for a pedestrian link to the adjacent parklands.

To provide hard and soft landscaping with indigenous landscape species in proximity to the Merri Creek and Yarra River Parklands.

2.0

Buildings and works

Building height should not exceed:
- Three storeys above ground level or 11.8 metres to the Noone Street frontage for a depth of 10 metres.
- Four storeys above ground level or 13.0 metres for the former ‘Spicer’ factory building.
- Four storeys above ground level or 14.5 metres for the balance of the site.
This does not apply to:
- Any rooftop building, plant or equipment which is located and designed to minimise its visibility from any adjoining road to the satisfaction of the responsible authority.
- Any architectural feature which is located and designed to the satisfaction of the responsible authority.
- Additions to the former ‘Spicer’ factory on Noone Street, provided the decision guidelines and purposes of the Heritage Overlay are met.

3.0
31/05/2007
C65

Decision guidelines
Before deciding on an application, the responsible authority must consider, as appropriate:
- The effect of the development on any building of architectural or heritage significance.
- The effect of the development on the amenity of adjoining properties, particularly in regard to building bulk and overshadowing.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management control works in the neighbourhood.
- The extent to which the development is articulated and modulated.
- The extent to which energy efficient building design has been incorporated into the development.
- The extent to which the Design Objectives are met.
SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4

VICTORIA STREET EAST PRECINCT

The City of Yarra Built Form Review established municipal wide built form objectives and controls for the whole of the Yarra River corridor, inclusive of Merri and Darebin Creeks.

The Victoria Street East Urban Design Framework November 2005 has been developed to further refine the broad built form principles, established by the Built Form Review and to provide more detailed strategies for design and development within the precinct.

This schedule deals with that part of the Yarra River Corridor identified as forming part of the Victoria Street East Precinct, as well as commercial and industrial redevelopment areas within the precinct, as shown in Diagram 1.

This schedule implements the findings of the Victoria Street East Precinct, Richmond Urban Design Framework dated 16 November 2005.

1.0

19/10/2006

C75

Design objectives

River corridor

- To relate the siting, scale, bulk and massing of new development to the distinctive landscape character and topography of this section of the Yarra River corridor.
- To enhance and improve the natural landscape of the river corridor and provide publicly accessible riverside open space and an improved riverside pathway system.
- To provide for long-range views of the River corridor paths and areas of public open space within the river corridor and on the opposite bank, and protect views to significant landmarks from Victoria Street.
- To minimise overshadowing of the river corridor and public spaces.

Commercial and Industrial redevelopment areas

- To provide a transition in scale between commercial and industrial development and nearby low rise residential development.
- To protect the character and amenity of low rise areas residential areas that interface with commercial and industrial uses.

2.0

19/10/2006

C75

Buildings and works

A permit is required to construct a fence that abuts a road or public area including a public car park.

Yarra River Corridor (YR 6,7 and 8 in Diagram 1)

- Buildings should be setback no less than 10 metres from the crest line along the River frontage as shown in Diagram 1
- For buildings adopting this absolute minimum setback, building height should not exceed 11 metres on the river frontage - plus 1 metre increase in height for every four metres measured from the 11m maximum height at the river frontage setback.
- The desirable minimum building setback is 20 metres from the crest line at ground level and greater setbacks are encouraged. For developments providing setbacks of 20 metres or more, building heights exceeding the height/setback ratio set out above may be permitted subject to the following:
  - The area of the building setback should be developed as an appropriately landscaped open space complementing the River corridor and with universal public access.
- Any building height exceeding the above height/setback ratio should be set back at least 35 metres from the crest line of the River frontage.

- Buildings should not exceed a maximum height of (RL41), and should create a transition in height down from Walmer Street to approximately RL29 at the river end of Victoria Street.

- Any additional building volume above the typical height/setback ratio should not exceed the usable building volume which could have been created within the setback area beyond the 10 metre absolute minimum.

- The design demonstrates superior architectural quality, principles of environmentally sustainable design, innovative approaches to heritage restoration or adaptive re-use of buildings, and provides reasonable protection of nearby sites’ redevelopment potential.

- The height of any podium to the Victoria Street frontage should not exceed RL26. Upper levels should be setback and articulated and should ensure that:
  - Impacts on public and private amenity are minimised, including overshadowing of public spaces such as Victoria Street’s southern footpath, Williams reserve and the riverside open spaces and private spaces within the site or on adjoining residential properties
  - Views to significant landmarks, such as the Skipping Girl sign, are protected.

**Commercial and Industrial redevelopment areas (YR 10 in Diagram 1)**

- Building height should not exceed 11m (RL26) along street frontages. Increases in height to 15.5m (RL 30.5) may be acceptable with upper level setbacks.

- Buildings above 15.5m (RL30.5) should avoid overshadowing of the adjoining streets, public spaces or private properties beyond that caused by building to 11m (RL26).

**Subdivision**

No specific requirements.

**Advertising signs**

No specific requirements.

**Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, in addition to the decision guidelines at Clause 65 of this scheme, the responsible authority must consider, as appropriate:

- The extent to which, where proposed building exceeds the height benchmarks as set out in this schedule:
  - Greater setbacks from the River crest line are achieved that contribute to public open space in and adjoining the River corridor;
  - Impacts on public and private amenity are minimised, including overshadowing of public spaces such as Victoria Street’s southern footpath, the Yarra River corridor and private spaces within or on adjoining residential properties;
  - Views to significant landmarks are protected; and
  - The design demonstrates superior architectural quality, principles of environmental sustainable design, innovative approaches to heritage restoration or adaptive re-use of buildings, where appropriate, and provides reasonable protection of the redevelopment potential of adjoining sites.
The overall design, height and form of the development having regard to the aspirations expressed in Victoria Street East Precinct, Richmond Urban Design Framework, dated 16 November 2005.

The height of existing buildings on the site and any constraints imposed by existing works on the site

6.0

Expiry

This schedule does not apply after 30 September 2011.

Policy References


Victoria Street East Precinct Policy

City of Yarra Built Form Review July 2003

City of Yarra Stormwater and Drainage Policy
DIAGRAM 1 – Victoria Street East Precinct and Crest Line
SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5**

CITY LINK EXHAUST STACK ENVIRONS

1.0 Design objectives

- To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.
- To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.
- To ensure that the relevant authorities are informed of development within close proximity of the City Link exhaust stack and to facilitate comment by those authorities on any specific requirements relating to the design and built form of new development in the area which might be desirable having regard to the proximity of the stack.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works.

3.0 Subdivision

A permit is not required to subdivide land.

4.0 Notice requirement

Where a permit is required to use land or for the construction of a building or the construction or carrying out of works under another provision in this scheme, notice must be given under section 52(1)(c) of the *Planning and Environment Act 1987* to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause.
SCHEDULE 6 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO6

601-603 VICTORIA STREET, ABBOTSFORD

1.0

Design objectives

To ensure that development:

- Responds to the industrial nature of the area, including the Abbotsford Brewery, by resolving the potential impacts of industry, including noise, light, odour and 24 hour traffic movements, in the design and construction of buildings so as not to prejudice the ongoing operation of surrounding non-sensitive uses.

- Incorporates appropriate acoustic measures to attenuate audible noise levels within habitable indoor and outdoor areas of buildings containing residential or other noise sensitive uses so that they do not adversely affect the operations of industry.

- Makes a positive contribution to Victoria Street as an active pedestrian environment and retail and commercial strip through high quality architecture.

- Improves physical and visual linkages between the surrounding area and the Yarra River.

- Does not adversely impact on local traffic conditions.

- Is of an appropriate height and scale for its strategic location and respects the predominant character of Victoria Street between Church and Burnley Streets.

- Does not dominate the skyline when viewed from the Yarra River corridor and Yarra Bend Park.

- Improves the pedestrian environment along all street frontages.

- Responds to the predominantly industrial built form character of the area.

2.0

Buildings and works

Development of the site must include an open thoroughfare that:

- Provides access and direct viewlines for pedestrians between Grosvenor and Shamrock Streets.

- Has a minimum width of 10 metres.

- Be landscaped and substantially fronted by development.

- Can form part of a development contribution requirement of any subsequent subdivision application.

Buildings and works should be constructed in accordance with the requirements specified in Table 1 to this schedule.

Table 1

<table>
<thead>
<tr>
<th>Maximum building height</th>
<th>Upper level setbacks</th>
<th>Built form outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victoria Street frontage: 11 metres (RL26)</td>
<td>Victoria Street frontage: development above 11 metres (RL 26) to be set back a minimum of 10 metres.</td>
<td>The scale of the building reinforces the strategic importance of Victoria Street. The dominant parapet height of surrounding development along the north side of Victoria Street is maintained and reinforced.</td>
</tr>
<tr>
<td>Flockhart Street frontage: 16.5 metres (RL26)</td>
<td>Flockhart Street frontage: development above 16.5 metres (RL 26) is to be set back a minimum 4 metres.</td>
<td>Development responds to the slope of the site and lower scale development to the north.</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>Upper level setbacks</td>
<td>Built form outcomes</td>
</tr>
<tr>
<td>-------------------------</td>
<td>----------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Grosvenor Street frontage: 13.5 metres (RL 26)</td>
<td>Grosvenor Street frontage: development above 13.5 metres (RL 26) is to be set back a minimum 5.5 metres</td>
<td>The visual impact of upper levels is minimised when viewed from Victoria Street east and west of the site. Development responds to the lower scale (one to two storey) of buildings on the south side of Victoria Street and west side of Grosvenor Street.</td>
</tr>
<tr>
<td>Overall maximum height: 21 metres (RL 30.5) elsewhere on the site</td>
<td>Northern boundary of the site: development above 16.5 metres (RL 26) is to be set back a minimum 8.5 metres</td>
<td>Development responds to the medium scale (up to five storeys) of industrial buildings on the east side of Flockhart Street and to the north of the site.</td>
</tr>
</tbody>
</table>

Development that includes residential or other sensitive uses must:

- Include design and noise attenuation measures that achieve the noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of State Environment Protection Policy No. N-1 ‘Control of Noise from Commerce, Industry and Trade’ (SEPP N-1) for calculation of noise limits.
- Locate, and if necessary screen, private open spaces, including balconies, to attenuate industrial noise to meet the requirements of SEPP N-1.
- Incorporate design measures that minimise the potential impact of non-routine odour emission.

At ground level, development must:

- Provide physical and visual connections between the land, or buildings on the land to the Yarra River corridor and Victoria Street.
- Use Grosvenor Street for pedestrian access and Flockhart Street for vehicle access.
- Provide visual interest for pedestrians and opportunities for passive surveillance through the location and design of building entries windows, and balconies and façade articulation.
- Minimise vehicle crossovers, blank walls and blind corners.

### Subdivision

A permit is not required to subdivide land.

### Application requirements

An application must be accompanied by a site analysis and a design response explaining how the development achieves the Design objectives of this schedule and Built form outcomes in Table 1 to this schedule.

An application that includes residential or other sensitive uses must be accompanied by an acoustic assessment, prepared by a qualified acoustic consultant, to the satisfaction of the responsible authority, that demonstrates how the noise attenuation measures will achieve noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of SEPP N-1 for calculation of noise limits. The acoustic assessment must include:

- The internal and external noise levels and the method of calculation used.
- Details of the design of walls, roof, windows, door, external glazing and the air- conditioning or ventilation system and how these will achieve the required noise levels.
5.0

**Persons or body to be notified**

In accordance with section 52(1)(c) of the Act, notice of an application under this schedule must be given to the owner and occupier of the Abbotsford Brewery site at 4-6 Southampton Crescent, Abbotsford.

6.0

**Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the proposal responds to the industrial context of the area, in particular, the measures employed to ensure that non-residential uses will protect residential amenity from noise, light, and odours emitted from commercial uses on the site.

- How ground level commercial occupancy provides an active, physically and visually connected interface along the Victoria Street frontage.

- How the design, height and form of development responds to the built form character of Victoria Street and existing development in Flockhart Street and Grosvenor Street.

- How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.

- How the proposal improves the street environment for pedestrians along street frontages.

- The effect on the local road network of the location of, and access to, parking facilities.

- The extent to which the Design objectives and the Built form outcomes in Table 1 to this schedule are met.
SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**

BURNLEY STREET WEST PRECINCT

1.0 Design objectives

To encourage built form which responds to heights in Victoria Gardens Shopping Centre to the east and the scale of established residential development to the west.

To respond to the opportunity for medium density residential buildings along Burnley Street, while recognising the potential for amenity impacts at ground level attributed to the main road location and traffic.

To encourage built form which activates the ground floor and provides active pedestrian frontages to Burnley Street.

To improve the quality of the streetscape and the pedestrian experience along Burnley Street.

To ensure an appropriate ground level interface and upper level setbacks are provided to protect the amenity and character of established residential area to the west of the precinct.

To ensure built form contributes to the activation, amenity and safety of Williams Reserve, and rear laneways (Coles Terrace and Davison Street lane).

2.0 Buildings and works

Building heights should not exceed the preferred maximum heights shown in the Burnley Street West Precinct Building Envelope Diagram.

Built form should address the design principles set out below:

**Burnley Street frontage**

- Built form along the Burnley Street frontage is articulated with recessed elements, varied setbacks, architectural projections and balconies.

- Building massing provides variations in height along the Burnley Street frontage, with higher elements oriented perpendicular to Burnley Street to reduce their actual and apparent width, and well separated to provide a varied skyline.

- Higher elements are located at the Burnley Street frontage and largely obscured from view by lower intermediate built form located at the rear of the site.

- At ground level, recesses and varied setbacks provide interest to the streetscape and opportunity for widening of the footpath.

- Built form provides for prominent residential entries at ground level interspersed with non-residential spaces.

- Development at the corner of Burnley Street and Victoria Street is designed to define the street corner and may be linked to buildings to the south via a pedestrian bridge above Coles Terrace or underground car park or basement link.

**Laneway interface (Coles Terrace and Davison Street lane)**

- A two storey residential podium addresses the rear laneway. Dwellings are provided with direct entries to the laneway to generate pedestrian activity.

- Any wall treatments to the laneway are designed to create a safe pedestrian environment and where appropriate broken up or supplemented by ground level landscaping and appropriate materials or treatments.
- The principal outlook of upper level built form is to the north. Setbacks, carefully integrated screen treatments and planting is used along the western (or other relevant) faces of built form to protect nearby residences from overlooking.

- At the equinox, new development will not significantly overshadow existing secluded private open space areas of nearby residences.

- Windows and balconies are oriented to the laneway to provide surveillance, while protecting nearby residences from overlooking through appropriate design and screening.

**Williams Reserve interface**

- Development at the southern and eastern interface of the reserve addresses the park at ground level and provides opportunities for upper level views to the park.

- Development is of a scale that enables adequate solar access to the park.

**Access and parking**

- Principle vehicle access is from Burnley Street. The number of vehicle crossing and access points is minimised by, where possible, utilising existing signalised intersections/access points to the Victoria Gardens development opposite.

- Car parking is provided at basement level or if constructed above ground is designed to present an attractive building interface.

- Use of the rear laneway for any vehicle access is minimised. Service vehicle access is provided from Burnley Street and provision for service vehicle movement is accommodated within the site.

A permit may be granted to construct or carry out works which are not in accordance with the specified preferred maximum heights.

A permit application 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

**Subdivision**

None specified.

### 4.0

**Advertising signs**

None specified.

### 5.0

**Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, in addition to the decision guidelines set out at Clause 65, the responsible authority must consider, as appropriate:

- The provision made for activating the ground floor and encouraging pedestrian movement along the Burnley Street frontage and the interface with Victoria Gardens, opposite.

- The protection of the amenity and character of nearby residences to the south and west.
Burnley Street West Precinct Building Envelope Diagram
SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8

FITZROY SOUTH

1.0

Design objectives

- To protect the World Heritage values of the Royal Exhibition Building and Carlton Gardens.
- To reinforce the built form character of the area as being essentially of low-rise buildings.
- To protect views of the drum, dome, lantern and flagpole of the Royal Exhibition Building from the footpath on the south side of Gertrude Street and along Marion Lane, west of Fitzroy Street.

2.0

Buildings and works

Permit requirement

A permit is not required for building and works less than 8.5 meters in height from the existing ground level.

Notice requirements

In accordance with section 52(1)(c) of the Act notice must be given to the Executive Director, Heritage Victoria.

3.0

Subdivision

None specified.

4.0

Advertising signs

None specified.

5.0

Decision guidelines

Before deciding on an application, the responsible authority must consider the impact on the view of the drum, dome, lantern and flagpole of the Royal Exhibition Building.

Policy References

World Heritage Environments Area Strategy Plan: Royal Exhibition Building and Carlton Gardens (Department of Planning and Community Development, 2009)
SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO9

DOONSIDE PRECINCT

1.0

Design objectives

- To recognise this Precinct, being on the edge of an activity centre and abutting low rise residential development, as transitional in its location and function.
- To ensure building design responds to the industrial character of the precinct but respects the character of the established residential areas to the south and east of the Precinct.
- To respect the scale of development on the south side of Appleton Street.
- To provide a pedestrian friendly environment along all street frontages.
- To encourage improvements to the public domain, including the provision of public open space.
- To ensure that new development does not adversely impact on local traffic conditions.
- To ensure a high standard of architectural design.
- To ensure that new development does not prejudice the ongoing operation of nearby commercial, industrial and warehouse businesses.

2.0

Buildings and works

The following requirements apply:

Building heights and setbacks

Buildings on Doonside, Burnley and David Streets should be built to the property frontage. The height of any development in the precinct should not exceed:

- 11m along street frontages.
- 15.5m with appropriate setbacks above 11m.

Development above 15.5m:

- Should demonstrate a high standard of architectural design.
- Should not overshadow adjoining streets, public spaces or private properties beyond that caused by a building of 11m when measured between the hours of 10.00am and 2.00pm at the Equinox.

This does not apply to:

- Any rooftop building, plant or equipment which is located and designed to minimise its visibility from any adjoining road to the satisfaction of the responsible authority.
- Any architectural feature which is located and designed to the satisfaction of the responsible authority.

Building design

Development should be designed to:

- have active and attractive frontages
- relate to and address all frontages
- be well articulated and modulated
- use materials and finishes which respect adjacent development and the transitional role of the Precinct
incorporate appropriate acoustic measures to attenuate audible noise levels within habitable indoor and outdoor areas of buildings containing residential or other noise sensitive uses

incorporate upper level setbacks to Appleton Street so as to respect the scale of development on the south side of the street.

Traffic
Vehicular access and traffic movements in Appleton Street should be minimised.

Permeability and public spaces
Through block connections for pedestrians should be provided wherever possible to link Appleton Street, Doonside Street and Victoria Gardens.

Public open space should have a street frontage.

Amenity
Development that includes residential or other sensitive uses should:

- Minimise the potential impacts of local business (including noise, light, odour and 24 hour traffic movements), in the design and construction of buildings.

- Include design and noise attenuation measures that achieve the noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of State Environment Protection Policy No. N-1 ‘Control of Noise from Commerce, Industry and Trade’ (SEPP N-1) for calculation of noise limits.

- Locate, and if necessary screen, private open spaces, including balconies, to attenuate industrial noise to meet the requirements of SEPP N-1.

- Incorporate design measures that minimise the potential impact of non-routine odour emission.

Landscaping
Public and private open space and other public realm areas should be appropriately landscaped.

Subdivision
No specific requirements

Advertising signs
No specific requirements

Application requirements
An application must be accompanied by a site analysis and a design response explaining how the development achieves the ‘Design objectives’ and ‘Buildings and works’ provisions of this schedule.

An application that includes residential or other sensitive uses must be accompanied by an acoustic assessment, prepared by a qualified acoustic consultant that demonstrates how the noise attenuation measures will achieve noise levels (within any noise sensitive area) in accordance with Part 2.0 Amenity.

Decision guidelines
Before deciding on an application, the responsible authority must consider, as appropriate:

- The effect of the development on the identified heritage places within the precinct.

- The impact of traffic generated by the proposal and whether it is likely to require additional traffic management control works in the neighbourhood.
- How ground level commercial occupancy addresses the Burnley Street frontage.
- How the design, height and form of development responds to the built form character of Victoria Gardens and existing development in Appleton Street.
- How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
- How the proposal improves the street environment for pedestrians along street frontages.
- The location of, and access to, parking facilities and their effect on the local road network.
- The effectiveness of new residential development and other noise sensitive uses in protecting their own amenity where potentially affected by existing commercial, industrial, and warehouse businesses.
SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO10

JOHNSTON STREET PRECINCT – WEST OF SMITH STREET

1.0

Preferred future character

A more consistent streetscape with the street-frontage ‘façade wall’ at the predominant two to three storey height of 20th and 19th Century buildings.

Vibrant street life and increased pedestrian activity due to an increasing amount of street oriented development particularly on Johnston Street.

2.0

Design objectives

- To retain the valued features which contribute to the preferred future character and heritage of the area.
- To ensure development fits with its context and the preferred future character.
- To develop streets with a human scale and vibrant street life.
- To improve the pedestrian environment in Johnston Street.
- To encourage high quality new development.

3.0

Buildings and works

Built form should address the following design principles:

- Buildings should be built to the street frontage and side boundaries of the site.
- Taller buildings should be setback and spaced to create new interest and variety in building forms.
- The form, massing, materials, finishes and detailed design of buildings respond to the preferred character of the area.
- Ensure active ground level frontages and designs which facilitate street level activity.
- The street frontage façade of infill development should complement the predominant street frontage height of nearby and abutting properties. The street façade height should not exceed three storeys or 12 metres.
- Development above street façade height should be set-back and not exceed four to six storeys. Setbacks should meet the following view line and amenity setback criteria:
  - Avoid increased overshadowing of street and public space between 10am and 2pm at the equinox (22 September);
  - Where sites adjoin fine grained, low rise residential development, provide a stepped transition in height at the sensitive interface to minimise amenity impacts;
  - Minimise the visual intrusion of the upper levels when viewed from footpaths or public spaces.
- In the area north of Johnston Street and east of Napier Street, new development must respect the height of the former MacRobertson complex and avoid dominating these buildings.

4.0

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The contribution of the ground level frontages in providing an active, physically and visually connected street interface, especially to Johnston Street.
- The design, height and visual bulk and acoustic protections of the development in relation to surrounding land uses and built form.

- The impact of the proposal on the street environment for pedestrians along street frontages.

- The effect of the development on any building of architectural or heritage significance.

5.0
20/01/2011
C113

Policy References
SCHEDULE 11 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO11**

GIPPS PRECINCT

1.0

Preferred Future Character

A built form business and commercial environment which builds on the existing fine grain industrial nature of the area that allows for innovation and interest.

A vibrant and safe street environment due to an increasing amount of street oriented development, particularly on Gipps and Langridge Street.

A consistent streetscape with active street-frontages and well-articulated buildings with street facades built to a height of up to 3-4 storeys. Taller built form will be set back from property boundaries and spaced to create new interest and variety in building forms.

2.0

Design objectives

- To recognise the Precinct as a vibrant commercial precinct with a narrow street network.
- To provide a pedestrian friendly environment along all street frontages.
- To ensure building design responds to the inherent industrial character of the Precinct.
- To ensure building design will protect the amenity of existing pockets of residential development.
- To encourage improvements to the public domain, including the provision of public open space.
- To ensure that new development does not adversely impact on pedestrian, cycling and vehicular accessibility.
- To ensure a high standard of architectural design.

3.0

Buildings and works

The following requirements apply:

Building heights and setbacks

Taller built form may be appropriate on larger sites able to provide adequate setbacks that respect the narrow streetscape character of the Precinct and avoid overshadowing of neighbouring properties.

Development above 4 storeys should:

- Demonstrate a high standard of architectural design
- Minimise overshadowing of adjoining streets, public spaces or private properties
- Be set back from along the northern side of the following streets:
  - Gipps Street
  - Langridge Street

Building design

Development should be designed to:

- have active and attractive frontages.
- address street activity in its interface design, avoiding recessed car parking at street level.
- be well articulated and modulated.
use materials and finishes which complement adjacent development and enhance the appearance of the narrow street network.

**Traffic and access**

For any development:

- the number of vehicular access points to a site should be limited and where possible, consolidated and shared with adjoining sites.
- multiple garages in a continuous row along the street frontage will not be supported and recessed parking spaces at the ground level of buildings will be discouraged.
- the impact of traffic and parking generated by the proposal on the local road network must be considered.

**Permeability and public spaces**

Any new public open space should have a street frontage.

New development should explore opportunities to create pedestrian connections and through links where the property is accessible from at least two streets.

**Amenity**

The design and construction of buildings should minimise potential off-site impacts (including noise, light, odour and 24 hour traffic movements).

**Landscaping**

Landscaping should be considered as a means of providing attractive street frontages.

Public and private open space and other public realm areas should be appropriately landscaped.

### 4.0 30/06/2011 C102

**Subdivision**

No specific requirements

### 5.0 30/06/2011 C102

**Advertising signs**

No specific requirement

### 6.0 30/06/2011 C102

**Application requirements**

An application must be accompanied by a detailed site analysis and design response explaining how the development achieves the ‘Design objectives’ and ‘Buildings and works’ provisions of this schedule.

An application must also be accompanied by a traffic impact assessment plan for the site which addresses the effects of traffic generated by the proposed development, vehicular access, traffic movements and parking.

### 7.0 30/06/2011 C102

**Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- The impact of traffic generated by the proposal and whether it is likely to require additional traffic management control works in the neighbourhood.
- How the design, height and form of development responds to the preferred built form character of the Precinct.
- How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
- How the proposal improves the street environment for pedestrians along street frontages.
- The location of, and access to, parking facilities and their effect on the local road network.
SCHEDULE 12 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO12

FORMER NMIT SITE 35 JOHNSTON STREET, COLLINGWOOD

1.0 Design objectives

- To encourage regeneration of the site through high quality architecture.
- To respect and respond to any retained heritage fabric on the site.
- To facilitate an adaptive re-use of the site.
- To encourage urban design that provides for a high level of community safety and comfort.
- To maintain a suitable level of amenity to adjacent residential uses through the design, height and form of proposed development.
- To ensure that overshadowing of neighbouring properties and public space is within reasonable limits.
- To ensure that new built form is adequately articulated and modulated.
- To ensure that the combination of uses and the intensity of development is compatible with the capacity of the existing road system.
- To ensure that the number of vehicle accessways along Perry and Johnston Streets are limited, and that vehicle parking is concealed from street view.
- To ensure that new development responds to the neighbourhood character and site influences.
- Development should recognise and respond to the slope of the site.
- To ensure that buildings properly address the public realm, including that of Johnston and Perry Streets.
- To provide for pedestrian permeability through the site.
- To require energy efficient building design.
- To provide for an appropriately sized, well designed and located area of public open space that is publicly accessible with good surveillance and has active interfaces with appropriate uses.

2.0 Buildings and works

Buildings and works should be constructed so as to meet the design objectives specified in clause 1.0.

3.0 Application requirements

Development proposals should be accompanied by a comprehensive site analysis and urban context report which documents the key influences on the proposed development, how it responds to the strategies, policies and requirements of the planning scheme, and how it relates to the social, built and historic character of the surrounding area. The report should form the basis for the consideration of height, scale, massing and detail.

The subject site is in a location where Yarra City Council wishes to see the provision of an area of public open space in the order of 1000 square metres. This is a larger amount of public open space than Council is entitled to obtain pursuant to Clause 52.01 of the scheme. Therefore the applicant must demonstrate that consultation has occurred with Council to determine whether the design of the development enables provision of additional land to Council at Council’s cost.
**Decision guidelines**

Before deciding on an application to construct a building or to construct or carry out works, the responsible authority must consider, as appropriate:

- Whether new development maintains a public view of the Keith Haring mural.
- The effect of the development on the amenity of nearby properties and the public realm, particularly in regard to building bulk and overshadowing.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management control works in the neighbourhood.
- The extent to which the new building is articulated and modulated to reduce visual dominance of the building mass.
- The extent to which energy efficiency measures, renewable energy sources, and water usage minimisation has been incorporated into the design.
- Whether new development achieves an area of public open space to service the needs of occupants of the site and the surrounding community.
- Whether there has been a comprehensive site analysis and urban context report used as the basis for the development proposal.
SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO13

EMMA STREET PRECINCT, COLLINGWOOD

1.0

Preferred future character

An area where future development respects the scale and character of buildings in the area, particularly the heritage buildings in Smith Street.

The valued low-rise character of the heritage areas retained. The remaining non-heritage sites may be redeveloped in scale with surrounding buildings.

2.0

Design objectives

- To retain the valued features which contribute to the preferred future character and heritage of the area.
- To ensure development fits with its context and the preferred future character.
- To encourage an appropriate transition between the scale and character of the traditional retail strip centre in Smith Street and lower-rise residential areas to the east.
- To encourage high quality new development.

3.0

Buildings and works

Built form should address the following design principles:

- Buildings should be built to the street frontage and side boundaries of the site.
- The form, massing, materials, finishes and detailed design of buildings respond to the preferred character of the area.
- Ensure active ground level frontages and designs, which facilitate street level activity.
- The street frontage façade of infill development should complement the predominant street frontage height of nearby and abutting properties. The street façade height should not exceed three storeys or 12 metres.
- Development above street façade height should be set-back and the scale should be subservient to contextual buildings along Smith Street.

4.0

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The design, height and visual bulk of the development in relation to surrounding land uses and built form.
- The acoustic protections of the development in relation to surrounding land uses.
- The impact of the proposal on the street environment for pedestrians along street frontages.
- The effect of the development on any building of architectural or heritage significance.
- The Smith Street Structure Plan November 2008 and in particular the provisions of section 11.4 Buildings.
SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO14.

462-482 SWAN STREET RICHMOND

1.0

Design objectives

- To provide for high density, taller development that delivers significant public realm outcomes.
- To reinforce the corner of Swan Street and Burnley Street as a vibrant commercial, retail and residential location.
- To strengthen connectivity to Burnley Station and establish a highly walkable and cycle friendly public realm.
- To ensure new development provides well-located accessible and safe car parking areas that do not visually dominate the streetscape.
- To ensure that new development does not result in unreasonable overshadowing of the public realm including the adjoining streets, the Burnley Railway Station or neighbouring residential areas.

2.0

Buildings and Works

Buildings and works should be constructed in accordance with the following requirements:

Building heights

- The building height should not exceed a maximum of 42 metres.
- The maximum height does not include building services which should be hidden from view from any adjoining public space or designed as architectural roof top features. Building services include but are not limited to plant rooms, air conditioning, lift overruns and roof mounted equipment.

Buildings and works should be constructed in accordance with the following requirements:

Building setbacks

- Reinforce the street wall height along Swan Street and Burnley Street to create a consistent 3 storey built form.
- Upper levels should be setback from the podium at all site boundaries, except for façade articulation of up to 0.5m, as follows:
  - A minimum of 6m from Swan Street to provide upper level setbacks from the primary street frontage.
  - A 5m setback from the eastern boundary to provide upper level building separation between the subject site and any future redevelopment of the abutting property.
  - A minimum of 3m setbacks from the south (rail corridor) and west (Burnley Street).
- Provide building separation between built form elements at upper levels.
- Ensure that built form elements above the street wall are visually recessive and do not contribute to visual bulk.

Building design

- Provide active frontages at ground level and overlooking of the public realm, including station environs from upper levels.
- Ensure development is of a high architectural standard in terms of its form, scale, massing, articulation and materials and that these design elements respond to the site context.
Ensure development is designed to ameliorate adverse wind conditions at street level, communal open spaces, balconies and adjoining properties.

Ensure building services are screened from the public realm and communal open spaces.

**Traffic and access**

- Ensure convenient and adequate bicycle parking is provided at street level to cater for the general public.
- Integrate carparking into the building design and conceal from the public realm.
- Ensure vehicular access and egress and loading bay arrangements are designed to maximise pedestrian safety.

**Public realm**

- Provide improved connectivity between Swan Street, Burnley Street and Burnley Station.
- Improve the interface between the development and the east-west pedestrian link abutting the southern site boundary.
- Enhance the amenity and appearance of the public realm along the Swan Street and Burnley Street frontage and east-west pedestrian link, including elements such as improved footpath treatments, lighting, street trees and street furniture.
- Ensure new or improved pedestrian links promote a sense of safety for day and night-time conditions.
- Minimise overshadowing of adjoining streets, the public realm and existing residential areas.
- Ensure no unreasonable overshadowing impact to Burnley Station.

**Amenity**

- Provide acoustic treatments to address the impact of existing and potential noise from the rail corridor, the Burnley Street overpass and Swan Street.
- Provide awnings over footpaths to Swan Street and Burnley Street to provide weather protection.
- Ensure built form and internal building layout are designed to maximise solar access, access to daylight, ventilation and outlook.

**Permit Requirements**

A permit may be granted to construct a building or construct or carry out works which varies the specified height and/or setbacks specified in Clause 2.0, where the applicant demonstrates, to the satisfaction of the responsible authority, that all of the following would be satisfied:

- that the built form outcome as a result of the proposed variations satisfies the Design Objectives of this Schedule;
- that the proposal will achieve:
  - An exemplary built form outcome;
  - An exemplary public realm outcome;
  - Innovative environmentally sustainable development;
  - Minimal additional overshadowing (beyond that which would be generated by a proposal that complies with the specified setback requirements) of the public realm;
  - Minimal adverse amenity impacts to adjoining properties (beyond that which would be generated by a proposal that complies with the specified setback requirements).
Application requirements

An application for a permit to construct a building or construct or carry out works must be accompanied by the following information to the satisfaction of the Responsible Authority:

- Site context and existing conditions plan including, levels, any existing buildings, public realm and evaluation of opportunities and constraints.
- Detailed design drawings including elevation drawings to scale showing the colour and materials of all buildings and works.
- A report demonstrating that the development will achieve all of the Design Objectives included in this schedule.
- A landscape plan prepared by a suitably qualified landscape designer.
- An acoustic report prepared by a suitably qualified acoustic engineer, demonstrating how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1, the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2, sleep disturbance criteria and any other relevant Australian Standards, as applicable, will be met and must prescribe the form of acoustic treatment taking into consideration the agent of change principle. Where necessary vibration isolation methods must be prescribed to control structure borne sound to reduce vibration from Burnley Station, mechanical equipment, car lifts and transformers.
- A traffic, and car parking report providing the following details:
  - The appearance, layout and allocation of car parking - including visitor and flexi car parking.
  - Bicycle parking provision including number and location.
  - Vehicular ingress and egress to and from the site.
  - Location and arrangements for loading and unloading of heavy vehicles.
- A waste management plan prepared by a suitably qualified waste management expert.
- A 3D model of the development and its surrounds in conformity with the Department of Environment, Water, Land and Planning Infrastructure Advisory Note – 3D Digital Modelling. Where substantial modifications are made to the proposed building envelope, a revised 3D digital mode must be submitted to the Responsible Authority.

3.0

Subdivision

None specified.

4.0

Advertising signs

None specified.

5.0

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- Any minor variations from the required setbacks resulting from façade articulation.
- How the proposal improves the pedestrian environment and other areas of the public realm.
- The effectiveness of new development in protecting the amenity of occupants from the off-site impacts of existing uses and activities.
- The views of relevant referral authorities.
How a proposal to vary the specified heights and setbacks specified in this Schedule responds to the permit requirements outlined in Clause 2.0.
SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO15.

JOHNNSTON STREET ACTIVITY CENTRE

1.0

Design objectives

- To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey Victorian and Edwardian-era heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge.

- To ensure that the overall scale and form of new buildings is mid-rise (5 to 12 storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

- To ensure that new development does not compromise the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overlooking, overshadowing and vehicle access.

- To activate the street edge, provide passive surveillance opportunities and accommodate commercial activity at the lower levels of new development and enhance the public realm through high quality buildings public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.

- To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.

2.0

Buildings and works

Definitions

Street wall height is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Rear interface is the rear wall of any proposed building or structure whether on the property boundary or set back from the property boundary.

Building height is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building. It does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met:

- Less than 50% of the roof area is occupied by the equipment (other than solar panels);

- Any equipment is located in a position on the roof so as to avoid additional overshadowing;

- Any equipment does not extend higher than 3.6 metres above the maximum building height; and

- Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

Setback is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the property boundary.

Upper Level Development refers to the levels of buildings that are above the street wall.
Design Requirements

Building Heights and Setbacks (including street-wall height and rear interface Height)

The building height and setback requirements are set out at Table 1 of this schedule.

A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) for buildings and works which exceed the mandatory maximum building height, mandatory maximum street wall height or are less than the minimum upper level setback for a relevant sub-precinct specified in the Table 1 to this Schedule.

A permit may be granted to exceed the preferred maximum height specified in Table 1 if the following criteria are met to the satisfaction of the Responsible Authority:

- the built form outcome as a result of the proposed variation satisfies the objectives of Clause 1.0 and the provisions of Clause 21.12-1 are satisfied;
- the proposed building height is consistent with the preferred mid-rise character for Johnston Street of generally 5 to 12 storeys;
- the proposal will achieve each of the following:
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
  - universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70% or 5 Star Green Standard;
  - minimal additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
  - for Contributory or Individually Significant buildings under the Heritage Overlay, the proposed development enhances the heritage fabric of the building (primarily through full restoration of the front façade and external features visible from the street).

A permit may be granted to vary the preferred maximum street wall height and preferred minimum setbacks requirements in Table 1 if the development meets the Design Objectives to the satisfaction of the Responsible Authority.

In addition to the overall building height requirements specified in Table 1 and Map 1, development above 18m (5 storeys) must be on a site, consisting of one or more titles, that has the following parameters:

- A minimum lot depth of 20m
- A minimum street frontage width of 10m

In addition to the setbacks required by Table 1, new development on sites with a north-south orientation fronting either Johnston or Sackville Street, should be setback within a 45-degree envelope measured from above the street-wall height and the rear interface height to the maximum overall height as shown in Figure 1. This does not apply to development in sub-precincts 1A, 1B, 2A and 2C (for the site on the northern side of Johnston Street), where new development should be setback within a 45-degree envelope from the primary street frontage only.

In sub-precincts 1A, 1B and 2B, the rear interface of new development should be designed to enable daylight and/or solar access to primary outlooks for existing or potential future residential development and to consider future development opportunities on neighbouring sites.

Development should avoid repetitive stepped form within the 45-degree envelope.
Building Separation
Development should be setback from common side boundaries to provide separation between buildings at the upper levels to avoid a “wall” of development above the street-wall when viewed from the opposite side of Johnston Street and Sackville Street:

- a minimum of 4.5m from the side boundary where a habitable room window is proposed
- a minimum of 3m from the side boundary where a non-habitable room window or commercial window is proposed.

Where the common side boundary is a laneway, the setback is measured from the centre of the laneway.

Overshadowing and Solar Access
New development must not overshadow the southern footpath of Johnston Street, measured as 3.0m from the boundary of Johnston Street, between 10am and 2pm at September 22.

Development in Sub-Precincts 1C, 1D, 2E and 2F should be designed to minimise additional overshadowing of residential zoned properties to the south measured from 10am to 2pm at the equinox (September 22).

Street Frontages
New development should:

- be built to the front property boundary on in-fill sites along Johnston Street.
- address the primary street frontage and, where heritage elements are not a constraint, incorporate design elements that contribute to the provision of a continuous, visible and active frontage at ground level.
- provide passive surveillance from upper levels.
- be designed to allow for commercial activity at the lowest two levels (as a minimum) incorporating commercial floor to floor heights of at least 4m, where heritage elements are not a constraint.
- be designed to locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building.
West of the railway line bridge, new infill development should ensure that heritage facades remain the visually dominant feature in the streetscape. Facade treatments and articulation of new infill development within this area should:

- respond to the rhythm and pattern of the heritage streetscape and adjoining heritage buildings
- match the parapet height of a neighbouring Contributory or Individually Significant buildings identified under the Heritage Overlay.

In sub-precincts 2C, 2D, 2E and 2F, new development should:

- contribute to a new, well-designed, contemporary urban character that provides articulated façades, reinforcing a finer grain street pattern
- provide a transitional street wall height on sites that are adjacent to Individually Significant heritage properties and respect the scale and character of the heritage building.

New development on Sackville Street should be setback 3m to accommodate landscaping, or incorporate a high quality public realm treatment into the design of the building to address and improve the amenity of the streetscape.

**Upper Level Development**

Within areas, and on individual properties covered by the Heritage Overlay, upper level development should:

- Ensure that heritage facades remain the visually prominent feature within the streetscape when viewed from ground level.
- Be visually recessive in mass, scale and materiality, incorporating materials and finishes that are sympathetic and in keeping with the character of the heritage streetscape.

Upper level development should be designed so that side walls are articulated and read as part of the overall building design not detract from the streetscape when viewed from direct and oblique views along the streetscape.

**Vehicle Access and Car Parking**

New development should be designed to:

- Avoid providing vehicle access from Johnston Street and provide access from a side street or laneway where practical.
- Conceal the provision of car parking within the building or by providing basement car parking.
- Avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

**Subdivision**

None specified.

**Advertising signs**

None specified

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposal satisfies the Design Objectives at Clause 1.0.
The architectural quality of the proposal, which includes the design, scale, height, materials, mass and visual bulk of the development in relation to the surrounding built form.

How the proposal responds to the presence of heritage buildings either on, or in close proximity to the site.

The design response at the interface with existing low-scale residential properties.

Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment and other areas of the public realm.

Whether new buildings cause overshadowing of southern side footpaths and public spaces along the south side of Johnston Street when measured 10am to 2pm at the spring equinox (September 22).

Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment.

**Expiry**

The requirements of this overlay cease to have effect after 31 December 2019.
**SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO16**.

**QUEENS PARADE (WEST)**

**1.0**

**28/03/2017**

**C229**

**Design objectives**

The design objectives for Precinct 1B: Brunswick Street Precinct includes:

- To encourage low rise additions behind the front sections of the terraced houses of Brunswick Street and Queens Parade that respects the prevailing streetscape character and subdivision grain.

- To retain and conserve the heritage values of this low scale Victorian residential area including the front sections of the terraced houses, street setbacks and subdivision pattern.

- To retain the visual prominence of the individually significant corner building that forms the southern gateway to Queens Parade and to Fitzroy North more broadly.

- To facilitate the appropriate low rise infill of the site located to the rear of residential properties fronting Brunswick Street.

- To ensure future vehicle access and services are provided off a rear laneway, where possible.

- To ensure upper level elevations that are exposed to the public domain are high quality, visually recessive and do not diminish the appreciation of the heritage building.

The design objectives for Precinct 2A: Boulevard Precinct includes:

- To ensure the redevelopment of the land accommodating the former ‘K.G. Luke Pty Ltd Electro Plate Manufacturers’ factory contributes positively to the urban character of Fitzroy North.

- To retain, enhance and incorporate the existing heritage facade into the redevelopment of the site and to create a consistent parapet height along the streetscape.

- To ensure new development does not diminish, or detract from the heritage values of the boulevard streetscape, the heritage street wall and the heritage trees along Queens Parade.

- To moderate the prominence of development above the street wall with respect to mid and long range panoramic and streetscape views and the Yarra skyline from the Edinburgh Gardens (HO213) and Newry Street (HO327- Fitzroy North Precinct).

- To ensure heritage buildings retain their three-dimensional form as viewed from the public realm to avoid ‘facadism’.

- To ensure an appropriate transition in building scale across the site having regard to the existing and preferred built form to the east, north and west.

- To recognise the low scale, fine grain format of existing surrounding development.

- To avoid repetitive stepped built form at upper levels of development.

- To ensure development appropriately considers the amenity impacts on neighbouring development and achieves a high standard of internal amenity within the development.

- To encourage the development above the street wall to be designed as a series of separate development parts with building separation to enable views to the sky.

- To encourage permeability within and through the site.

- To ensure adequate solar access is provided to the Queens Parade boulevard and the adjoining Napier Street Reserve.

**2.0**

**28/03/2017**

**C229**

**Buildings and works**

A permit is required to construct a building or construct or carry out works.
A permit cannot be granted to exceed the ‘mandatory control’ listed within Tables 1 and 2.

The street wall height is measured at the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Building height does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that all of the following criteria are met:

- The total roof area occupied by the equipment (other than solar panels) is minimised;
- The equipment is located in a position on the roof so as to minimise its visibility and minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
- The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.

Table 1 – Precinct 1B building heights & setbacks

<table>
<thead>
<tr>
<th>Built Form</th>
<th>Mandatory Control</th>
<th>Discretionary Control</th>
<th>Built Form Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height</td>
<td>Maximum 9m (3 storeys) for properties fronting Brunswick Street &amp; Queens Parade</td>
<td></td>
<td>Development that respects the heritage and streetscape value of the precinct.</td>
</tr>
<tr>
<td></td>
<td>Maximum 9m (3 storeys) for rear laneway site known as Lot 1 on Title Plan TP806921.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Façade Height</td>
<td>Retain existing heritage façade.</td>
<td></td>
<td>Development that:</td>
</tr>
<tr>
<td></td>
<td>Development on 460 Brunswick Street adjoining the individually significant corner building must not exceed the parapet height of that building.</td>
<td></td>
<td>Reinforces the heritage values of the precinct;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Respects the scale of the existing heritage buildings;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Maintains the existing heritage buildings as the dominant feature in the streetscape; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limits amenity impacts of building bulk, overlooking and overshadowing on existing residential properties.</td>
</tr>
</tbody>
</table>
### Table 2 – Precinct 2A building heights & setbacks

<table>
<thead>
<tr>
<th>Built Form</th>
<th>Mandatory Control</th>
<th>Discretionary Control</th>
<th>Built Form Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height</td>
<td>Maximum 31m (10 storeys).</td>
<td></td>
<td>Development that:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Respects the scale of existing heritage buildings, both on and adjoining the site;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Ensures projections above the street wall are not dominant in the skyline when viewed from Newry Street, Coleman Street and the Edinburgh Gardens;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Ensures adequate solar access is provided to the Queens Parade boulevard and the adjoining Napier Street Reserve at the equinox (09.00-15.00); and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Maintains the visual dominance of the heritage boulevard trees on Queens Parade over the built form.</td>
</tr>
<tr>
<td>Façade Height</td>
<td>Retain existing heritage façade; or</td>
<td>The street wall of development adjoining the individually significant</td>
<td>Development that:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Incorporates the existing heritage street wall into the redevelopment of the site</td>
</tr>
<tr>
<td>Built Form</td>
<td>Discretionary Control</td>
<td>Built Form Outcome</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------</td>
<td>--------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Where no heritage façade exists a maximum 10m (3 storeys).</td>
<td>and establishes a consistent street wall height along the streetscape;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>building should be below the parapet height of the heritage building.</td>
<td>Ensures through a combination of height, massing and materials, the decorative parapet of the individually significant heritage building remains prominent along the street wall;</td>
<td></td>
</tr>
<tr>
<td>Front Setback from boundary of Queens Parade</td>
<td>0m up to maximum 10m (3 storeys).</td>
<td>Ensures the primacy of the landscape boulevard within the Queens Parade viewshed; and</td>
<td></td>
</tr>
<tr>
<td>Above existing heritage façade:</td>
<td>Minimum of 8m setback from 10m (3 storeys) to 16m (5 storeys)</td>
<td>Does not detract from the heritage values of the boulevard streetscape, the heritage street wall and the heritage trees along Queens Parade.</td>
<td></td>
</tr>
<tr>
<td>Above new street wall (where no existing heritage façade):</td>
<td>Minimum of 5m setback from 10m (3 storeys) to 16m (5 storeys)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum of 8m setback from 16m (5 storeys).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Setback(s) from rear boundaries – North &amp; North West adjacent to NRZ &amp; GRZ</td>
<td>ResCode Standard B17 measured from the rear boundary of adjoining properties up to 10m (3 storeys).</td>
<td>Development that:</td>
<td></td>
</tr>
<tr>
<td>Setback within a 45 degree angle line measured from 10m (3 storeys) up to 25m (8 storey).</td>
<td>Delivers an appropriate transition in scale of development from the surrounding lower scale heritage residential built form;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Setback(s) from side boundary – East adjacent to NRZ</td>
<td>0m setback to match party wall of existing adjoining development up to 10 metres (3 storeys).</td>
<td>Delivers an appropriate interface arrangement to neighbouring properties and minimises visual bulk and mass when viewed from neighbouring properties;</td>
<td></td>
</tr>
<tr>
<td>Setback within a 45 degree angle line measured from 10m (3 storeys) up to 25m (8 storey).</td>
<td>Limits amenity impacts of building bulk, overlooking and overshadowing on existing residential properties;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Avoids repetitive stepped form within the 45 degree profile; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Built Form</td>
<td>Mandatory Control</td>
<td>Discretionary Control</td>
<td>Built Form Outcome</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>-----------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Ensures the projections above the street wall are not dominant in the skyline when viewed from Newry Street.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Setback(s) from side boundary – East adjacent to MUZ**

- 0m setback to match party wall of existing adjoining development or 10m (3 storeys) where no party wall exists.
- Minimum of 9m setback from the windows/balconies of adjoining apartments up to 16m (5 storeys).
- Minimum of 15m setback above 16m (5 storeys).

Development that:
- Delivers an appropriate interface arrangement and minimise visual bulk and mass when viewed from neighbouring properties;
- Delivers an appropriate transition in scale of development to the existing apartments on Napier Street; and
- Limits amenity impacts of building bulk, overlooking and overshadowing on existing residential properties.

**Setback(s) from side/ rear boundaries – West & North West adjacent to MUZ**

- 0m setback to match party wall of existing adjoining development to the west or 10m (3 storeys) where no party wall exists.
- Setback within a 45 degree angle line measured from 10m (3 storeys).

Development that
- Delivers an appropriate interface arrangement and minimise visual bulk and mass when viewed from neighbouring properties
- Delivers an appropriate transition in scale of development to the existing apartments and the lower scale heritage residential built form in Brunswick Street;
- Avoids repetitive stepped form within the 45 degree profile; and
- Limits amenity impacts of building bulk, overlooking and overshadowing on existing residential properties.
**Table 3 – General Design Requirements**

<table>
<thead>
<tr>
<th>Design Element</th>
<th>Requirement</th>
<th>Built Form Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building facades and street frontages</td>
<td>The articulation of new building facades should incorporate vertical articulation to reinforce the prevailing fine grain pattern of subdivision and buildings in the area. Façade design treatments and the articulation of new buildings should respect the detailing of heritage buildings.</td>
<td>Development that:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Recognises the fine grain built form character of heritage streetscapes and minimises the dominance of wide building frontages; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Delivers high quality façade and architectural detailing that respects the heritage qualities of Queens Parade and Brunswick Street.</td>
</tr>
<tr>
<td>Upper Level Development (above the street wall/3 storeys)</td>
<td>Any part of a building above a non heritage street wall height should use materials at the upper levels of the building that are recessive in finish and colour. Development that is visible above or behind the street wall should be designed so that side walls are articulated and read as part of the overall building design. Any part of a building above a heritage facade should:</td>
<td>Development that:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Maintains the dominance of the heritage street wall in the streetscape and the vista along Queens Parade;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Ensures upper level development is visually recessive; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Ensures upper level development does not detract from the heritage streetscape.</td>
</tr>
<tr>
<td>Building Separation</td>
<td>The upper levels of new buildings on sites with frontages wider than 80 metres should provide visual separation and views to the sky between buildings.</td>
<td>Development that:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Avoids continuous built form at upper levels; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Minimises the visual dominance of upper levels on the streetscape.</td>
</tr>
</tbody>
</table>

*Note:* Nominated storeys within Tables 1, 2 & 3 are based on an assumption of 4m floor to ceiling height for a ground level commercial use and 3m floor to ceiling height for residential use above.

**Application Requirements**

Unless with the written consent of the Responsible Authority, an application must provide:

- An Urban Context Report that:
  - Describes the existing urban context of the area;
  - Explains the key planning, design and contextual considerations and influences on the proposed building and works;
- Explains how the proposed buildings and works respond to their urban context including:
  - the built form character of the adjacent and nearby buildings;
  - the heritage character of adjacent and nearby heritage buildings and places; and
  - the streetscape character;
- Explains how the proposed buildings and works respond to the design objectives,
  requirements and design outcomes of this Schedule, as appropriate;
- Explains the effect of the proposed buildings and works, including on:
  - sunlight, daylight and wind impacts on streets and other public spaces; and
  - adjoining residential development, as appropriate;

- Perspectives showing the form, massing, profile, material finishes and detailed design of the
  proposed building(s).
- Perspective and modelling of the proposed building(s) when viewed from the north side of
  Newry Street and of Coleman Street, and the WT Peterson Oval, the Fitzroy Grandstand and
  other locations in the southern part of Edinburgh Gardens to Council’s specifications.
- A landscape plan prepared by a suitably qualified landscape designer.
- A traffic, and car parking report including the following details:
  - The appearance, layout and allocation of car parking – including any visitor and flexi car
    parking;
  - Bicycle parking provisions including number and location;
  - Vehicular ingress and egress to and from the site; and
  - Location and arrangements for the loading and unloading of heavy vehicles where relevant.
- A heritage impact assessment prepared by a suitably qualified heritage consultant, including a
  schedule of conservation works and a heritage interpretation plan for Individually Significant
  (graded) buildings.
- For residential development, an acoustic report prepared by a suitably qualified acoustic engineer,
  demonstrating how the requirements of the State Environment Protection Policy (Control of
  Noise from Commerce, Industry and Trade) No. N-1, the State Environment Protection Policy
  (Control of Music Noise from Public Premises) No. N-2, sleep disturbance criteria and any
  other relevant Australian Standards, as applicable, will be met.
- A Sustainable Design Assessment (SDA) for 2-9 dwellings to Council’s specifications (in
  accordance with the Application Requirements of Clause 22.17).
- A Sustainability Management Plan (SMP) for 10 or more dwellings to Council’s specifications
  (in accordance with the Application Requirements of Clause 22.17).
- A waste management plan prepared by a suitably qualified waste management expert.
- A environmental wind assessment prepared by a suitably qualified professional to undertake
  measurements of environmental wind conditions around the proposed development and develop
  wind amelioration features as necessary.
- A Green Travel Plan prepared by a suitably qualified person outlining site-specific initiatives
  and actions to encourage the use of more sustainable transport options.

### Subdivision

A permit is not required to subdivide land.

### Decision guidelines

Before deciding on an application, the Responsible Authority must consider the following:
Whether the design objectives in Section 1.0 and the built form outcomes in Tables 1, 2 and 3 of this Schedule are achieved.

Whether the design requirements for specific areas in Tables 1 and 2 of this Schedule are achieved.


The architectural quality of the proposal, including the design, scale, height, materials, mass and visual bulk of the development in relation to the surrounding built form.

The profile and impact of redevelopment along Queens Parade and from Newry Street, Coleman Street and the Edinburgh Gardens.

The design response at the interface with existing low-scale residential properties.

Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.

How the proposal responds to the presence of heritage buildings either on, or in close proximity to the development.

The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.

How any proposed buildings and works will impact on solar access to Queens Parade and the Napier Street Reserve.

The suitability of vehicle access and egress arrangements and the location, layout and appearance of areas set aside for car parking.

The extent to which ESD measures are incorporated into the development.

Reference document

Queens Parade, Clifton Hill Built Form Review – February, 2017

Expiry

The requirements of this Schedule cease to have effect after 12 January 2020.
Map 1: Precinct Boundary Map
SCHEDULE 17 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO17.

SWAN STREET ACTIVITY CENTRE

1.0

General design objectives

- To recognise and respond to the distinct character and varying development opportunities defined by the four precincts along Swan Street.
- To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian friendly environment.
- To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.
- To minimise the amenity impacts on residential properties adjoining the Swan Street Activity Centre including overlooking, overshadowing and visual bulk impacts.
- To ensure that vehicular access to development does not adversely impact the level of service, efficiency and safety of the arterial and tram network.

2.0

Buildings and works

Definitions

Street-wall is the facade of a building. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Building height does not include non structural elements and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that all of the following criteria are met:

- The total roof area occupied by the equipment (other than solar panels) is minimised;
- The service equipment is located in a position on the roof so as to minimise its visibility;
- The non structural elements and service equipment minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
- The non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

Setback is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features, to the boundary.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Road boundary is the boundary between the public road and the private property.

Shared zone is a road or network of roads where pedestrians, cyclists and vehicles share the roadway.

Upper level is development above the height of the street wall.
General design requirements

The following general design requirements apply to an application to construct a building or construct or carry out works and must be read in conjunction with the relevant precinct design requirements.

Building heights

A permit cannot be granted to construct a building or construct or carry out works which exceeds the mandatory maximum building height shown in the Height and Interface Plans (Plan 1, 3, 5 and 7) of this schedule.

A permit may be granted to construct a building or construct or carry out works which exceeds the preferred building height shown in the Height and Interface Plans (Plan 1, 3, 5 and 7) of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule, the relevant precinct design requirements specified in this schedule;
- the proposed building height achieves the preferred future mid-rise character for Swan Street of generally 5 to 12 storeys; and
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations
  - universal access, and communal and / or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70%
  - no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.

Street wall and setbacks

A permit cannot be granted to construct a building or construct or carry out works which exceeds the mandatory maximum street wall height and/or reduces the mandatory minimum setback requirements specified in the Precinct Tables in this schedule.

A permit cannot be granted which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule,
- The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule

The following requirements also apply to the design of the street wall and upper levels:

- Frontages at ground floor and within the street wall must be designed with floor to floor ceiling heights suitable to accommodate commercial activity.
- Frontages at ground floor must incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.
- Development must be designed to adopt the same street setback from all interfaces for a minimum of 65% of the height of upper levels to avoid repetitive stepped form.
Upper level development must be designed to ensure buildings are expressed in the round and provide detail on facades when viewed from all directions.

Where development shares a common boundary and no interface treatment is shown in Plan 1, upper level development must:
- be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed
- be setback a minimum of 3.0m from the common boundary where a commercial or non habitable window is proposed.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

**Heritage design requirements**

The following design requirements apply on land within a heritage overlay or immediately adjoining a heritage overlay.

<table>
<thead>
<tr>
<th>Design Element</th>
<th>Design Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Infill Buildings and Development Adjoining a Heritage Building</strong></td>
<td></td>
</tr>
<tr>
<td>Façade treatments and the articulation of infill buildings on land affected by a heritage overlay and of new buildings on land immediately adjoining a heritage building must:</td>
<td></td>
</tr>
<tr>
<td>- ensure the façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of the adjoining heritage building(s)</td>
<td></td>
</tr>
<tr>
<td>- respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s)</td>
<td></td>
</tr>
<tr>
<td>- avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</td>
<td></td>
</tr>
<tr>
<td>- maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building.</td>
<td></td>
</tr>
<tr>
<td><strong>Contributory or Individually Significant Buildings</strong></td>
<td></td>
</tr>
<tr>
<td>Adaptation of contributory or individually significant buildings must:</td>
<td></td>
</tr>
<tr>
<td>- avoid highly reflective glazing in historic openings</td>
<td></td>
</tr>
<tr>
<td>- encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</td>
<td></td>
</tr>
<tr>
<td>- maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.</td>
<td></td>
</tr>
<tr>
<td><strong>Upper Levels (above street wall height)</strong></td>
<td></td>
</tr>
<tr>
<td>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building must:</td>
<td></td>
</tr>
<tr>
<td>- be visually recessive and not visually dominate the heritage building and the heritage streetscape</td>
<td></td>
</tr>
<tr>
<td>- retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’</td>
<td></td>
</tr>
<tr>
<td>- utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades</td>
<td></td>
</tr>
<tr>
<td>- incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</td>
<td></td>
</tr>
<tr>
<td>- be articulated to reflect the fine grained character of the streetscape.</td>
<td></td>
</tr>
</tbody>
</table>

**Overshadowing**

A permit cannot be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:
- any part of the southern footpath of Swan Street, measured as 4.0m from the southern road boundary of Swan Street,
- any part of the opposite footpath of Church Street, measured as 4.0 metres from the road boundary of Church Street
- any part of the opposite footpath of Burnley Street, measured as 4.0 metres from the road boundary of Burnley Street

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the overshadowing requirements specified in Clause 2.3 of this schedule unless the resultant overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.

**Vehicle and pedestrian access**

Development must provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule except in locations identified as “Left in - Left Out Access Permitted” in the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule.

Development identified as “Left in - Left Out Access Permitted” in the Access and Movement Plan must limit the width of vehicle crossovers and incorporate ‘Left in’ and ‘Left out’ only vehicle access.

Development with redundant vehicle access points to Swan Street, Church Street and Burnley Street must reinstate the kerb, linemark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, must be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Pedestrian access to buildings, including upper level apartments, must be from a street or a shared zone shown on the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance must be setback from the rear laneway and well-lit to enable safe access.

**Precinct design requirements**

The following specific Precinct Design Requirements apply in addition to the general design requirements.

**Precinct 1 – Richmond Station**

Shown on the planning scheme map as DDO17-1

The Precinct Design Requirements for Precinct 1 are as follows:

- Development must provide a consistent built form edge to the street.
- The street wall of development on the corner of Swan Street and Punt Road must mark the entry into the Swan Street Activity Centre.
- The street wall of new development east of Wellington Street must reflect the height and fine grain articulation of the heritage buildings.
- Development must improve the pedestrian environment and amenity of the streetscape along Swan Street and the streets leading to the Cremorne Employment Precinct through high quality architectural design and improvements to the public realm.
- Development must not overshadow any part of the opposite footpath of Cremorne Street (measured as 2.0 metres from the boundary of Cremorne Street between 10am and 2pm at 22nd September).
### Table 1 – Street Wall Heights and Setbacks for Precinct 1

<table>
<thead>
<tr>
<th>Interface Ref</th>
<th>Design Element</th>
<th>Mandatory Requirements</th>
<th>Preferred Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Street wall height</td>
<td>21m maximum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>5m minimum</td>
<td></td>
</tr>
</tbody>
</table>
| C             | Street wall Height              | 11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m.  
8m minimum.  
Match the parapet height of the taller adjoining heritage building. |                                                                                        |
|               | Street wall setback             | 0m                                                                                     |                                                                                        |
|               | Upper level setback             | Minimum 5m for individually significant heritage buildings.  
Any part of a building above the street wall must be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street). | Minimum 5m elsewhere.  
Development must minimise repetitive stepped form. |
| F             | Street wall height              | 11m minimum.                                                                            |                                                                                        |
|               | Street wall setback             | 0m                                                                                     |                                                                                        |
|               | Upper level setback             | 3m minimum                                                                              |                                                                                        |
| H             | Street wall height              | N/A.                                                                                    |                                                                                        |
|               | Street wall setback             | 0m minimum unless setback is identified on Plan 2.                                        |                                                                                        |
|               | Upper level setback             | 0m                                                                                     |                                                                                        |
| I             | Side and rear wall height       | 8m maximum on a common boundary with a property in a residential zone.  
11.5m maximum if boundary abuts a laneway. | Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise repetitive stepped form. |
Plan 1: Height and Interface Plan – Precinct 1 – Richmond Station

Plan 2: Access and Movement Plan – Precinct 1 – Richmond Station
Precinct 2 – Swan Street Activity Centre

Shown on the planning scheme map as DDO17-2

The Precinct Design Requirements for Precinct 2 are as follows:

- Development must respect the consistent scale, grain and architectural quality of the highly intact heritage streetscapes and the individually significant buildings in the precinct.
- Development along the rail corridor must avoid a continuous wall of taller development when viewed from local streets south of the rail corridor.
- Development on the south side of Swan Street must maintain Dimmey’s Tower as the prominent landmark in the streetscape when viewed from the northern footpath of Swan Street east of the rail bridge and west of Church Street.
- Taller built form adjoining the rail corridor must not compete with the architectural form and complexity of the Dimmey’s Clock Tower.
- Development must improve the pedestrian environment and amenity of streets and laneways that provide pedestrian connection to Swan Street, Church Street, East Richmond Train Station, and entrances to buildings.
- Development adjoining Milton Place must be designed to address the potential future public park adjoining East Richmond Railway Station.
- Development must not overshadow any part of the opposite footpath of Lennox Street, Stanley Street, Clifton Street and Docker Street, (measured as 2.0 metres from the road boundary of the street between 10am and 2pm at 22nd September).
- Development must not overshadow any part of the potential future open space adjacent to the East Richmond Station (measured as beyond 7.0m from the eastern road boundary of Milton Place and beyond 10.0m from the southern road boundary of Milton Place between 10am and 2pm at 22nd September).

Table 2 – Street Wall Heights and Setbacks for Precinct 2

<table>
<thead>
<tr>
<th>Interface Ref</th>
<th>Design Element</th>
<th>Mandatory Requirements</th>
<th>Preferred Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Street wall height</td>
<td>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.</td>
<td>Match the parapet height of the adjoining heritage building.</td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>5m minimum setback</td>
<td>For all development in a heritage overlay, any part of the building above the heritage street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</td>
</tr>
<tr>
<td>C</td>
<td>Street wall height</td>
<td>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m</td>
<td></td>
</tr>
<tr>
<td>Interface Ref</td>
<td>Design Element</td>
<td>Mandatory Requirements</td>
<td>Preferred Requirements</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>5m minimum for individually significant heritage buildings.</td>
<td>Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</td>
</tr>
<tr>
<td>D</td>
<td>Street wall height</td>
<td>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.</td>
<td>Match the parapet height of the taller adjoining heritage building.</td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>10m minimum for development up to 21m. 20m minimum for any height above 21m.</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Street wall height</td>
<td>11m maximum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td></td>
<td>5m minimum for land affected by HO335 and individually significant buildings. 3m minimum elsewhere.</td>
</tr>
<tr>
<td>G</td>
<td>Street wall height</td>
<td>14.5m maximum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td></td>
<td>3m minimum.</td>
</tr>
<tr>
<td>H</td>
<td>Street wall height</td>
<td>N/A.</td>
<td>0m minimum unless setback is identified on the Plan 4.</td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td></td>
<td>0m.</td>
</tr>
<tr>
<td>I</td>
<td>Side and rear wall height</td>
<td>8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.</td>
<td>Development must be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.</td>
</tr>
</tbody>
</table>
Plan 3: Height and Interface Plan – Precinct 2 – Swan Street Retail Centre
Precinct 3 – Swan Street East

Shown on the planning scheme map as DDO17-3

The design requirements for Precinct 3 are as follows:

- Development along Swan Street must continue the street level experience of the Swan Street and Burnley Street heritage precincts by maintaining a consistent and prominent street wall.

- Development must improve the pedestrian environment and amenity of Swan Street, and easements and laneways that provide pedestrian connection to Swan Street and to the entrances to new developments.

- Development of properties in the locations shown as “Upper Level Building Breaks” on Plan 5 must incorporate side setbacks greater than the standards in Clause 2 and enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street, and along Lord Street and Edinburgh Street.

- Development must not overshadow any part of the opposite footpath of Mary Street and Coppin Street (measured as 2.0m from the road boundary between 10am and 2pm at 22nd September).

- Development should be designed to enhance, activate and provide passive surveillance to the pedestrian connection between Glass Street and Swan Street as shown on Plan 6.

Table 3 – Street Wall Heights and Setbacks for Precinct 3

<table>
<thead>
<tr>
<th>Interface Ref</th>
<th>Design Element</th>
<th>Mandatory Requirements</th>
<th>Preferred Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Street wall Height</td>
<td>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.</td>
<td>Match the parapet height of the taller adjoining heritage building</td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>Minimum 5m for individually significant heritage buildings.</td>
<td>Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</td>
</tr>
<tr>
<td>E</td>
<td>Street wall height</td>
<td>14.5m maximum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>5m minimum</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Street wall height</td>
<td>11m minimum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>5m minimum</td>
<td>3m minimum elsewhere.</td>
</tr>
<tr>
<td>G</td>
<td>Street wall height</td>
<td>14.5m maximum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>3m minimum</td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>Street wall height</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Interface Ref</td>
<td>Design Element</td>
<td>Mandatory Requirements</td>
<td>Preferred Requirements</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------------</td>
<td>------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m minimum unless setback is identified on the Plan 6.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Side and rear wall height</td>
<td>8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.</td>
<td>Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.</td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Plan 5: Height and Interface Plan – Precinct 3 – Swan Street East
Plan 6: Access and Movement Plan – Precinct 3 – Swan Street East
Precinct 4 – Burnley Station

Shown on the planning map as DDO17-4

The Precinct Design Requirements for Precinct 4 are as follows:

- Development must respect the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.

- Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.

- Development must maintain the amenity of Ryan’s Reserve.

- Development of properties in the locations shown as “Upper Level Building Breaks” on Plan 7 must incorporate side setbacks greater than the standards in Clause 2 to enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street, and along Cutter Street and Bendigo Street.

- Development must not overshadow the opposite footpath of Stawell Street (measured as 2.0m from the road boundary between 10am and 2pm at 22nd September).

- Development must maintain solar access to Ryan’s Reserve as follows:
  - Beyond 16m of the eastern boundary of the reserve from 10am onwards on 22 September
  - At the western boundary of the reserve until 2pm on 22 September.

Table 4 – Street Wall Heights and Setbacks for Precinct 4

<table>
<thead>
<tr>
<th>Interface Ref</th>
<th>Design Element</th>
<th>Mandatory Requirements</th>
<th>Preferred Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Street wall Height</td>
<td>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>10m minimum from Swan Street setback for land affected by HO 286 (365 Swan Street). Minimum 5m for other individually significant heritage buildings.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall Height</td>
<td>14.5m maximum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>5m minimum.</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Street wall Height</td>
<td>11m minimum.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>5m minimum for individually significant buildings. 3m minimum elsewhere.</td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>Street wall Height</td>
<td>14.5m maximum.</td>
<td></td>
</tr>
<tr>
<td>Interface Ref</td>
<td>Design Element</td>
<td>Mandatory Requirements</td>
<td>Preferred Requirements</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------</td>
<td>------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>3m minimum.</td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>Street wall height</td>
<td>N/A.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street wall setback</td>
<td>0m minimum unless setback is identified on the Plan 8.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td>0m.</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Side and rear wall height</td>
<td>8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.</td>
<td>Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise stepped form.</td>
</tr>
<tr>
<td></td>
<td>Upper level setback</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Plan 8: Access and Movement Plan – Precinct 4 – Burnley Station
3.0
22/11/2018
C236

**Subdivision**

None specified.

4.0
22/11/2018
C236

**Advertising**

None specified.

5.0
22/11/2018
C236

**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 General Design Requirements and the Precinct Design Requirements in Clause 2.0 are met.
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, Church Street, Burnley Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of development on view lines to the Dimmey’s Clock Tower.
- The impact of development on the operation of the tram routes along Swan Street and Church Street.

**Expiry**

The requirements of this overlay cease to have effect after 30 December 2019.
Figure 1 to schedule 17 – Residential interface with an existing laneway
Figure 2 to schedule 17 – Residential interface direct abuttal

Title Boundary

Existing Residential

6.4m

8.0m

45° 1:1

64° 2:1

YARRA PLANNING SCHEME
SCHEDULE 19 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO19**.

64 ALEXANDRA PARADE, CLIFTON HILL

**Design objectives**

To facilitate a future development that provides for a mix of commercial uses at street level with residential uses above.

To facilitate a mid-rise development that appropriately responds to the boulevard character of Alexandra Parade and provides a range of dwelling types to allow for a diversity of households.

To provide an appropriate built form response to the recognised heritage values of the site and to retain the visual prominence of at least the top one-third of the individually significant Shot Tower from primary views.

To ensure development appropriately considers the amenity impacts on neighbouring development and achieves a high standard of internal amenity within the development.

To encourage the development above the street wall to be designed as a series of separate development parts with building separation to enable views to the sky.

**Buildings and works**

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

**Height and setbacks**

- Buildings on the site are a maximum 8 storeys and 25 metres.
- Future development on the site provides a consistent street wall height to the public realm along Alexandra Parade and Gold Street of a maximum of 3 storeys and 12 metres.
- The maximum height and massing of future development is positioned to the south-east corner of Alexandra Parade and Gold Street, responding to the limited sensitivity at these interfaces.
- Future building form delivers an appropriate interface arrangement and minimises visual bulk and mass when viewed from neighbouring properties.
- Upper levels of development are appropriately sited so as not to diminish the appreciation of, or impact primary views to at least the top one third of the height of the Shot Tower from the west on Alexandra Parade.
- Upper level development is designed to ensure buildings are expressed in the round and designed to provide detail on facades when viewed from all directions.

**Building form and design**

- Avoid stepped built form at upper levels of development.
- Avoid blank walls or large portions of blank walls where visible from the public realm.
- Deliver a high quality architectural response through building form, massing, materials and finishes.
- Activate the ground level of Alexandra Parade and Gold Street through design measures including glazing, active uses and pedestrian entries.
- Avoid a single mass form for development above the street wall. Provide passive surveillance to streets and footpaths.
- Locate car parking within the site and screen it from the public realm.
Site and scale development so that it avoids encroachment upon views to the Shot Tower, as seen in the primary views described under Heritage in this Design and Development Overlay.

Development does not diminish or detract from the boulevard character of Alexandra Parade.

Development provides an appropriate transition to lower built form at the interface with adjoining low rise residential areas to the west and north of the site.

**Heritage**

- Incorporate reference to the former industrial history of the site and any specific identified heritage values, such as in the form of public artwork, architecture and heritage interpretation.
- Retain and sensitively incorporate the original Box Hair Curling Works factory, crossovers and internal courtyard into its design and layout, if practicable.
- Adaptively reuse the site’s heritage building (Box Hair Curling Works factory), if practicable.
- Preserve identified primary views to the Shot Tower, particularly from the north west corner of the median strip and south west corner of Brunswick Street and Alexandra Parade by providing adequate setback and building separation to maintain clear sky between new development and the Shot Tower to retain the prominence of at least the top one-third of the height of the structure.
- Preserve identified primary views to at least the top one-third of the Shot Tower, particularly from the Eastern Freeway (west of the overpass) by providing clear sky in the backdrop of at least the top one-third of the height of the structure.

**Vehicle access and traffic**

- Vehicle entrances do not impact on high traffic flows on Alexandra Parade, by locating entrances to onsite parking on Gold Street.
- Vehicle access is located to limit impact on the pedestrian safety or street amenity and the amenity of adjoining residents.

**Public realm**

- Provide a good level of onsite amenity for future residents of the development though the layout and orientation of dwellings.
- The form and scale of proposed development is not to the detriment of existing adjacent uses, particularly adjoining low rise residences to the west and north of the site.
- Limit additional shadow cast to neighbouring residential properties to the west between 11am and 2pm at 22 September.
- Limit opportunities for overlooking to properties to the north and west.

**Built Form Guidelines**

- Provide streetscape improvements including sufficient footpath width along Alexandra Parade and Gold Street to enable the improved future use by retailers and pedestrians and enable sufficient activation of the street interfaces.
- Provide opportunities for additional tree planting where possible along Alexandra Parade and Gold Street.
- Provide a high quality response to the corner of Alexandra Parade and Gold Street to allow safe pedestrian movement.
- Provide well designed, horizontal awnings/verandas along Alexandra Parade and Gold Street.

**Application Requirements**

Unless with the written consent of the responsible authority, an application for development must provide:
An arban context report.

Perspectives showing the form, massing, profile, material finishes and detailed design of the proposed building(s).

A traffic and transport impact assessment prepared by a suitably qualified traffic engineer.

A green travel plan prepared by a suitably qualified person outlining site-specific initiatives and actions to encourage the use of more sustainable transport options.

A heritage impact assessment prepared by a suitably qualified heritage consultant.

For residential development, an acoustic report prepared by a suitably qualified acoustic engineer.

For residential development, a housing diversity and adaptability report which provides the following information:

- A demographic analysis of the types of people and households anticipated to live within the development based on the proposed dwelling design and bedroom mix.
- The location of larger dwellings, with a preference for them to be clustered together and overlooking communal open space.
- The landscaping design of communal open spaces for all household types ensuring they are easily accessible and visible from the larger apartments and incorporate child friendly materials and provide weather protection.
- Provide for a range of dwelling types to cater for a variety of housing needs including the provision of up to 10% of dwellings as affordable housing (as defined at section 3AA of the Planning and Environment Act 1987).

A waste management plan prepared by a suitably qualified waste management expert.

An environmental assessment of the site prepared by a suitably qualified and experienced environmental professional must be submitted to and approved by and to the satisfaction of the responsible authority and make reference to the Department of Sustainability and Environment, General Practice Note - Potentially Contaminated Land, June 2005. The assessment must include:

- A description of previous land uses and activities on the land.
- An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land, if required).
- Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land (if required).
- Should the environmental assessment reveal that an environmental audit of the site is necessary, before a sensitive use commences or before the construction or carrying out of buildings or works in association with a sensitive use commences, the applicant must provide either:
  - A certificate of environmental audit in accordance with Part IXD of the Environmental Protection Act 1970, or
  - An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of that land are suitable for the sensitive use.

3.0 Subdivision

None specified.
4.0

Advertising signs

None specified.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The design, height, massing and scale of the development in relation to the site context.
- The effect of the development on the amenity of neighbouring properties and the public realm.
- How the proposal improves the street environment for pedestrians along street frontages.
- The response to identified heritage values of the site and broader precinct, including primary views to at least the top third of the height of the Shot Tower.
- The impact of traffic generated by the proposal.
- The recommendations of a contamination assessment and remediation strategy.
SCHEDULE 20 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO20.

QUEENS PARADE

1.0

General design objectives

- To recognise and respond to the distinct character, heritage streetscape and varying development opportunities defined by the four precincts along Queens Parade.
- To support a new mid rise character behind a consistent street wall in precincts 2-5.
- To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the St John the Baptist church belfry and spire, the former ANZ Bank building, the former United Kingdom Hotel and the former Clifton Motors garage.
- To ensure new development responds to the grand, tree-lined boulevard character of Queens Parade.
- To ensure that the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

2.0

Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1

Definitions

1:1 ratio heritage street wall to new built form

is where the height of the heritage street wall equals the height of the new development above street wall when viewed from the opposite side of the street from the centre of the footpath at a height of 1.6 metres above ground level

Street wall

is the façade of a building at the street boundary. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Building height

does not include non structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment provided that all of the following criteria are met:

- The total roof area occupied by the service equipment (other than solar panels) is minimised;
- The service equipment is located in a position on the roof so as to minimise its visibility;
- The non structural elements and service equipment do not cause additional overshadowing of neighbouring properties and public spaces;
- The non structural elements and service equipment do not extend higher than 3.6 metres above the maximum building height; and
- The non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.
Parapet height
does not include features such as brackets, pediments, urns, finials or other decorative elements

Setback
is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the boundary.

Upper level
is development above the height of the street wall.

2.2 General design requirements
The following requirements apply to an application to construct a building or carry out works and must be read in conjunction with the relevant precinct design requirements.

- A permit cannot be granted to construct a building or carry out works which are not in accordance with the mandatory requirements specified in the relevant Precinct Tables.
- A permit cannot be granted to construct a building or carry out works which exceed the preferred building height and setbacks shown in the relevant Precinct Tables unless the following requirements are met, to the satisfaction of the responsible authority:
  - The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0; and
  - The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule.

- Facades at ground level must be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone and the Mixed Use Zone.
- Development must create a consistent street wall height along the streetscapes.
- Future vehicle access and services must be provided from a rear laneway or side street where possible.
- Development must provide setbacks which ensure that upper level additions seen from the public realm are high quality and do not diminish the appreciation of the heritage building and streetscape.
- Development must avoid repetitive stepped built form at upper levels of development.
- Unless specified in another table in this schedule, any part of a building adjacent to land in a residential zone must comply with the following:

<table>
<thead>
<tr>
<th>Table to Clause 2.2 boundary wall height and setback requirements for development adjoining a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>boundary wall height</td>
</tr>
<tr>
<td>setback</td>
</tr>
<tr>
<td>Common boundary</td>
</tr>
<tr>
<td>Laneway interface</td>
</tr>
</tbody>
</table>

2.3 Heritage design requirements
Design requirements for development on land affected by a Heritage Overlay or immediately adjacent to a heritage building
The following requirements apply to an application to construct a building or carry out works and must be read in conjunction with the relevant precinct design requirements.
## Design Requirement

### Infill buildings and development adjoining a heritage building

Facade treatments and the articulation of infill buildings on land affected by a heritage overlay and development on land immediately adjoining a heritage building must:

- ensure façade treatments and the articulation of the new development are simple and do not compete with the more elaborate detailing of the adjoining heritage building(s)
- respect the vertical proportions of the nineteenth and twentieth century facades in the heritage streetscape and/or the adjoining heritage building(s)
- avoid large expanses of glazing with a horizontal emphasis except for ground floor shopfronts
- reflect the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building(s)

### Adaption of contributory or individually significant buildings

Adaptation of contributory or individually significant buildings must:

- avoid highly reflective glazing in historic openings
- encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings
- maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.

### Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building must:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape
- retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’
- utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades
- incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape
- be articulated to reflect the fine grained character of the streetscape

## 2.4 Precinct design requirements

The following precinct specific design requirements apply in addition to the general design requirements outlined in Clause 2.2.

### 2.4.1 Precinct 2 – Boulevard Precinct

Shown on the planning scheme map as DDO20-1

The design requirements for Precinct 2 are as follows:

- Development must:
  - not diminish or detract from the heritage values of the boulevard streetscape, the heritage street wall and the heritage trees along Queens Parade.
  - deliver an appropriate interface arrangement to neighbouring properties and minimise visual bulk and mass when viewed from the adjoining properties.
  - avoid a repetitive stepped form within the 45 degree angle profile.
  - maintain the prominence of heritage buildings along Napier Street when viewed from Napier Reserve.
  - be appropriately setback at upper levels from the heritage buildings along Napier Street.
- provide an appropriate transition in scale from the heritage buildings along Napier Street and Alexandra Parade.
- provide vehicular access from laneways.
- provide building separation to reduce visual bulk.

Map of Precinct 2

Table 2 – Street wall height, building height and setbacks for Precincts 2C and 2D

<table>
<thead>
<tr>
<th>Built form</th>
<th>Mandatory requirement</th>
<th>Preferred requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Precinct 2C</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building height</td>
<td>Maximum 28 metres</td>
<td></td>
</tr>
<tr>
<td>Front street wall height</td>
<td>Development on Napier Street should not exceed the parapet height of the adjoining heritage buildings.</td>
<td>Maximum 18 metres for development on Queens Parade, George Street and Alexandra Parade</td>
</tr>
<tr>
<td>Upper level setback</td>
<td>Minimum 5 metres</td>
<td></td>
</tr>
<tr>
<td>Setback(s) from boundary of 472 to 484 Napier Street</td>
<td>Setback within a 45 degree angle line measured from 18 metres.</td>
<td></td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>ResCode B17</td>
<td></td>
</tr>
<tr>
<td>Built form</td>
<td>Mandatory requirement</td>
<td>Preferred requirement</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Precinct 2C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Precinct 2D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building height</td>
<td></td>
<td>Maximum 18 metres</td>
</tr>
<tr>
<td>Front street wall height</td>
<td>Retain existing parapet height</td>
<td></td>
</tr>
<tr>
<td>Upper level setback</td>
<td>Minimum 6 metres</td>
<td></td>
</tr>
</tbody>
</table>

2.4.2 Precinct 3 – St John’s Precinct

Shown on the planning scheme map as **DDO20-2**

The design requirements for Precinct 3A are as follows:

- Development must maintain views of the belfry and spire of St John’s church and maintain clear sky between the belfry and spire and new development when viewed from the centre of the footpath on the south-east corner of the intersection with Queens Parade and Smith Street. A permit cannot be granted to construct a building or carry out works if it does not meet this requirement.

- Development must
  - achieve a consistent street wall height along Queens Parade, extending along Smith Street.
  - respond to the low scale form of existing development outside Precinct 3 on Hodgkinson Street through an appropriate transition in building height.
  - recognise the fine grain character of heritage streetscapes and minimise the dominance of wide building frontages.
  - deliver high quality architectural detailing that respects the heritage qualities of Queens Parade and Smith Street.
  - maintain the prominence of the heritage street wall in the streetscape and the vista along Queens Parade.
  - ensure that upper level development is visually recessive and does not detract from the heritage streetscape.
  - use materials at upper levels that are recessive in finish and colour.
  - be designed so that side walls are articulated and read as part of the overall building design.
  - avoids continuous built form at upper levels.
### Map of Precinct 3

![Map of Precinct 3](image)

### Table 3 – Street wall height, building height and setbacks for Precinct 3A

<table>
<thead>
<tr>
<th>Built Form</th>
<th>Mandatory requirement</th>
<th>Discretionary requirement</th>
</tr>
</thead>
</table>
| Building height    | Maximum 11 metres for 15-33 Queens Parade  
Retain height of existing heritage façade.  
Development adjoining a heritage building must match the parapet height of adjacent taller heritage building.  
Maximum of 14.5m elsewhere | Maximum of 18 metres |
| Front street wall height | Maximum 11 metres for 15-33 Queens Parade  
Retain height of existing heritage façade.  
Development adjoining a heritage building must match the parapet height of adjacent taller heritage building.  
Maximum of 14.5m elsewhere | |
| Upper level setback | Minimum 6 metres at 664 Smith Street (former Fire Station) and Minimum 6 metres at 15-41 Queens Parade | Minimum 6 metres elsewhere |
| Street wall setback | 0 metre - built to front boundary at ground level | |
| Rear setback       | 45° above 8 metres from rear boundary to a laneway  
45° above 5 metres from rear boundary (no laneway) | |
| Side setback       | If adjoins NRZ, ResCode B17  
0 metre elsewhere | |
2.4.3 Precinct 4 – Activity Centre Precinct

Shown on the planning scheme map as DDO20-4

The design requirements for Precinct 4 are as follows:

- Development must protect and maintain key view lines and visual prominence of the former ANZ Building from the south-west and north-east, in particular to the upper floor, roof form and chimneys. A permit cannot be granted to construct a building or carry out works if it does not meet this requirement.

- Development must:
  
  - retain the visual prominence of heritage buildings, their street wall and significant ‘High Street’ streetscapes when viewed from the opposite side of Queens Parade.
  
  - facilitate the appropriate mid rise infill of the sites located to the rear of commercial properties fronting Queens Parade.
  
  - retain the visual prominence of the return facades of buildings that front Queens Parade, Delbridge, Gold and Michael Streets.
  
  - ensure that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.
  
  - retain chimneys visible from the public realm.
  
  - enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.
  
  - respect the low scale, fine grain subdivision pattern of existing development on Hodgkinson Street and McKean Street.
Table 4 – Street wall height, building height and setbacks for Precinct 4

<table>
<thead>
<tr>
<th>Built Form</th>
<th>Mandatory requirement</th>
<th>Preferred requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building height</td>
<td>21.5 metres</td>
<td></td>
</tr>
<tr>
<td>Front street wall height on Queens Parade</td>
<td>Retain height of existing heritage façade.</td>
<td>Retain height of existing heritage façade.</td>
</tr>
<tr>
<td></td>
<td>Where no heritage façade exists, development must be:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- a minimum of 8 metres</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- a maximum of 11 metres or where there is an adjacent heritage building, the parapet height of that building if taller than 11 metres.</td>
<td></td>
</tr>
<tr>
<td>Front street wall height in side streets.</td>
<td>Retain height of existing heritage façade.</td>
<td>Retain height of existing heritage façade.</td>
</tr>
<tr>
<td></td>
<td>Where no heritage façade exists, development should be:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- a minimum of 8 metres</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- a maximum of 11 metres or where there is an adjacent heritage building, the parapet height of that building if taller than 11 metres.</td>
<td></td>
</tr>
<tr>
<td>Upper level setback Queens Parade</td>
<td>Minimum 6 metres at 167-197 Queens Parade</td>
<td>Minimum 6 metres at 167-197 Queens Parade</td>
</tr>
<tr>
<td>Built Form</td>
<td>Mandatory requirement</td>
<td>Preferred requirement</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>-----------------------------------------------------------</td>
<td>-----------------------------------------------------------</td>
</tr>
<tr>
<td>Minimum 8 metres at 364 Queens Parade</td>
<td>Minimum 6 metres</td>
<td></td>
</tr>
<tr>
<td>Upper level setback in side streets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street wall setback</td>
<td>0 metre setback- built to front boundary at ground level</td>
<td></td>
</tr>
<tr>
<td>Setback from rear boundary (C1Z interface)</td>
<td>Minimum 3 metres above 11 metres</td>
<td></td>
</tr>
<tr>
<td>Side and rear setback (NRZ interface)</td>
<td>45 degree angle above 8 metres from rear boundary to laneway</td>
<td>45 degree angle above 5 metres where no laneway</td>
</tr>
</tbody>
</table>

2.4.4 Precinct 5 – North Eastern Precinct

Shown on the planning scheme map as DDO20-4

The design requirements for Precinct 5 are as follows:

- Development must
  - retain the visual prominence and not visually dominate the three dimensional forms of the former United Kingdom Hotel when viewed from Raines Reserve and the former Clifton Motors Garage when viewed from the opposite side of Queens Parade.
  - retain, conserve and incorporate the moderne façade of the former Clifton Motor Garage (205-211 Queens Parade) in any redevelopment of the site and ensure that the three dimensional form of the façade remains prominent and the decorative vertical fin remains a prominent freestanding element when viewed from the public realm.
  - be designed above street wall in Precincts 5B and 5C as a series of separate development parts with building separation.
  - establish a transition and gradual stepping down of building heights from taller forms in Precinct 5C to existing heritage form in Precinct 5A.
### Table 5— Street wall height, building height and setbacks for Precincts 5A, 5B and 5C

<table>
<thead>
<tr>
<th>Built form</th>
<th>Mandatory requirement</th>
<th>Preferred requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Precinct 5A</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building height</td>
<td></td>
<td>Maximum 18 metres</td>
</tr>
<tr>
<td>Street wall height</td>
<td>Match existing parapet or eaves height</td>
<td></td>
</tr>
<tr>
<td>Upper level setback</td>
<td></td>
<td>Minimum 5 metres</td>
</tr>
<tr>
<td><strong>Precinct 5B</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building height</td>
<td>1:1 heritage street wall to new built form behind Clifton Motors and 203 Queens Parade visible from the opposite side of Queens Parade</td>
<td>Maximum 28 metres elsewhere</td>
</tr>
<tr>
<td>Front street wall height</td>
<td>Match parapet height of former Clifton Motor Garage and eaves line of former UK Hotel</td>
<td>Maximum 11 metres for non contributory buildings facing Queens Parade and Dummett Crescent</td>
</tr>
<tr>
<td>Street wall setback</td>
<td>0 metres</td>
<td></td>
</tr>
<tr>
<td>Setback from side and rear boundary</td>
<td>0 metres</td>
<td></td>
</tr>
<tr>
<td>Upper level setback</td>
<td>Minimum 6 metres for development at former Clifton Motor Garage</td>
<td>Minimum 6 metres elsewhere</td>
</tr>
<tr>
<td><strong>Precinct 5C</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 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 General Design Requirements, Heritage Design Requirements and the Precinct Design Requirements in Clauses 2.2, 2.3 and 2.4 are met.
- If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.
- The profile and impact of development along Queens Parade when viewed from the north side of McKean Street and the south side of Hodgkinson Street.
- The design response at the interface with existing, low scale residential properties.
- The design of the streetscape interface along the primary street frontage.
- Whether side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings.
- How any proposed buildings and works will impact on solar access to Queens Parade and Napier Street Reserve.
- Whether heritage buildings on street corners retain their prominence when viewed from both streets.
- Whether heritage buildings retain their three-dimensional form when viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- The impact of development on views to:
  - the former ANZ Bank building’s tower, roof, chimney and upper level
  - the St John the Baptist Church belfry and spire
  - the former Clifton Motor Garage’s Moderne façade and fin
- The wind effects created by the development.
Expiry

The requirements of this overlay cease to have effect after 12 January 2020.
SCHEDULE 21 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO21.

BRIDGE ROAD ACTIVITY CENTRE

1.0

Design objectives

- To support a mid rise scale built from character with lower built form at the interfaces with streets and the adjoining low rise residential areas.
- To ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape.
- To maintain a prominent street wall character along Bridge Road with new development at upper levels setback, visually recessive and clearly distinct.
- To provide a comfortable level of street enclosure, maintain solar access to key footpaths, and ensure a high quality built form interface to all streets and public spaces.
- To minimise amenity impacts on residential properties adjoining the Bridge Road Activity Centre including overlooking, overshadowing and visual bulk impacts.

2.0

Buildings and works

Definitions

Street wall is the façade of a building at the street boundary. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge, with the exception of architectural features and building services.

Building height does not include non structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment provided that all of the following criteria are met:

- the total roof area occupied by the service equipment (other than solar panels) is minimised;
- the service equipment is located in a position on the roof so as to minimise its visibility;
- the non structural elements and service equipment do not cause additional overshadowing of secluded private open space of neighbouring residential zoned properties and public spaces;
- the non structural elements and service equipment do not extend higher than 3.6 metres above the maximum building height; and
- the non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Setback is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the property boundary.

Upper level is development above the height of the street wall.

2.2

General design requirements

The following requirements apply to an application to construct a building or construct or carry out works and must be read in conjunction with the relevant precinct design requirements:
Building heights and street wall height requirements

The mandatory and the preferred building height and street wall requirements are set out in the relevant precinct Building Heights and Setbacks Plans. Buildings or works must not exceed the maximum building height and street wall height shown in the relevant precinct Building Heights and Setbacks Plans.

- A permit cannot be granted to vary a building height shown as a mandatory building height in the relevant precinct Building Heights and Setbacks Plan.
- A permit cannot be granted to vary a building height shown as a preferred building height in the relevant precinct Building Heights and Setbacks Plan unless all of the following requirements are met:
  - the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule;
  - the proposed building height achieves the preferred future mid-rise character for the Bridge Road Activity Centre; and
  - the proposal will achieve each of the following:
    - greater building separation than the minimum requirement in this schedule;
    - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
    - universal access, and communal and / or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
    - excellence for environmental sustainable design measured as a minimum BESS project score of 70%;
    - no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.

- A permit cannot be granted to vary a street wall height shown as a mandatory street wall height in the relevant precinct Building Heights and Setbacks Plan.
- A permit cannot be granted to vary a street wall height shown as preferred in the relevant precinct Building Heights and Setbacks Plan unless the proposal meets the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule.
- The street wall height of development in a heritage overlay or immediately adjoining a heritage overlay must match the parapet height of the adjoining taller heritage building.

Setback requirements

The mandatory and the preferred setback requirements are set out in the relevant precinct Building Heights and Setbacks Plans. A development must meet the setback requirements shown in the relevant precinct Building Heights and Setbacks Plan.

- A permit cannot be granted to vary a setback shown as a mandatory setback in the relevant precinct Building Heights and Setbacks Plan.
- A permit cannot be granted to vary a setback shown as a preferred setback in the relevant precinct Building Heights and Setbacks Plan unless the proposal meets the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule.

In addition to the setbacks in the relevant precinct Building Heights and Setbacks Plan, the following setback requirements apply for any part of a building above the (retained) front street wall of a building:
<table>
<thead>
<tr>
<th>Area</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development on Bridge Road in Precinct 1 (except development west of Moorhouse Street)</td>
<td>Must occupy no more than one quarter of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) - see Figure 2.</td>
</tr>
<tr>
<td>Development on Bridge Road in Precinct 2, 3 and 4</td>
<td>Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3.</td>
</tr>
<tr>
<td>Development on Church Street</td>
<td>Development within a heritage overlay: Must occupy no more than one quarter of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 2. Development outside a heritage overlay: Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3.</td>
</tr>
<tr>
<td>Development in Precinct 5</td>
<td>Development within a heritage overlay: Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3. Development outside a heritage overlay: Must not encroach within a 45 degree plane from the opposite side of the street – see Figure 4.</td>
</tr>
<tr>
<td>All development</td>
<td>Must adopt the same setback for at least 75% of the height of the proposed built form above the front street wall to avoid repetitive stepped form.</td>
</tr>
</tbody>
</table>

- Development adjoining a heritage building must match the upper level setback of the adjoining heritage building.
- Buildings must be set back from residentially zoned land (excluding Mixed Use Zone) as shown in Figure 1.
Figure 1 – Setback for Interface with Residential Zoned Land

Figure 2 – Setback for Upper Level Development
Building separation requirements

- An application for development must provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk.

- Where development shares a common boundary, upper level development must:
  - be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed;
  - be setback a minimum of 3.0m from the common boundary where a commercial or non habitable window is proposed.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

- In addition to the above, a building that exceeds a height of 21 metres must be setback at least one-sixth of the width of the lot to maintain views to the sky between buildings. Where the boundary is a laneway, the setback is measured from the centre of the laneway.
**Views to landmarks requirements**

- Development must maintain existing views to:
  - the Pelaco sign when viewed from:
    - the footpath on the north west corner of Wellington Parade; and
    - the Tram Stop 13 on Wellington Street immediately west of Simpson Street.
  - the tower belfry and spire of St Ignatius Cathedral when viewed from:
    - the tram stop at the intersection of Victoria Street and Church Street;
    - the north east corner of the Bridge Road and Church Street intersection; and
    - Citizens Park at the entrance from Highett and Gleadell Street intersection and the central entry from Highett Street.
  - the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from:
    - South West Corner of Lennox Street and Bridge Road Intersection;
    - South East Corner of Burnley Street and Bridge Road Intersection; and
    - Citizens Park at the entrance from Highett and Gleadell Street intersection and the central entry from Highett Street.

Where a landmark is currently viewed from the above viewing points with a “clear sky” backdrop, development must maintain views to some clear sky between the landmark and the proposed development.

**Overshadowing requirements**

- Development must not overshadow any part of the southern footpath of Bridge Road to a distance of 3.0 metres from the kerb between 11am and 2pm at 22nd September. A permit cannot be granted to vary this requirement.

- Development must not overshadow any part of the following:
  - the opposite footpath of Lennox Street to a distance of 2.0 metres from the kerb between 11am and 2pm at 22nd September;
  - the opposite footpath of Church Street to a distance of 3.0 metres from the kerb between 11am and 2pm at 22nd September;
  - the opposite footpath of Burnley Street to a distance of 2.0 metres from the kerb between 11am and 2pm at 22nd September.

**Vehicular access requirements**

- Development must provide safe vehicular access from rear lanes or from side streets.

- Development with redundant vehicle access points must reinstate the kerb, linemark parking bays, and relocate any parking signs.

- Pedestrian access to buildings, including upper level apartments, must be from a street or a shared zone. Where pedestrian access can only be provided from a laneway, the pedestrian entrance must be setback from the rear laneway and well lit to enable safe access.

**Building design requirements**

- Development must:
  - incorporate vertical articulation in the street wall that reflects the prevailing pattern of subdivision and buildings;
- allow for commercial activity at the ground and first floor (as a minimum) incorporating commercial floor to floor heights of at least 4m, where heritage elements are not a constraint;
- incorporate awnings over the footpath on commercial zoned land for the full width of the lot, continuous with any adjoining awning;
- be expressed in the round and provide detail on facades when viewed from all directions;
- incorporate an architectural expression at upper levels that is distinct from but complimentary to the street wall.

### Heritage building design requirements

In addition to the General Design Requirements and relevant Precinct Design Requirements, the following requirements apply to an application to construct a building or carry out works on land affected by a Heritage Overlay or on land immediately adjacent to a Heritage Overlay.

<table>
<thead>
<tr>
<th>Design Element</th>
<th>Design Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building facades and street frontages</strong></td>
<td>Infill Buildings and Development Adjoining a Heritage Building</td>
</tr>
<tr>
<td>Façade treatments and the articulation of infill buildings on land affected by a heritage overlay and of new buildings on land immediately adjoining a heritage building must:</td>
<td></td>
</tr>
</tbody>
</table>
- ensure the façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of the adjoining heritage building(s);  
- respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s);  
- avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts;  
- maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building;  
- be articulated to reflect the fine grained character of the streetscape. |

**Contributory or Individually Significant Buildings**

Adaptation of contributory or individually significant buildings must:

- avoid highly reflective glazing in historic openings;  
- encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings;  
- maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.  

<table>
<thead>
<tr>
<th>Upper Levels (above street wall height)</th>
<th>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building must:</th>
</tr>
</thead>
</table>
| - be visually recessive and not visually dominate the heritage building and the heritage streetscape; | - retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’;  
- utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades;  
- incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape;  
- be articulated to reflect the fine grained character of the streetscape. |

### Precinct design requirements

The following specific Precinct Design Requirements apply in addition to the General Design Requirements.
Precinct 1 – Bridge Road West

The precinct design requirements for Precinct 1 are as follows:

Development must:

- retain the visual prominence of heritage buildings in the streetscape and the significant ‘High Street’ streetscape in the vista along Bridge Road;
- retain the visual prominence of the return facades of corner buildings;
- be consistent in form, massing and façade treatment as existing upper level development (where this exists) for any upper level development behind rows of identical or similar residences;
- maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street;
- maintain a sense of openness along Bridge Road and Church Street;
- respect the low scale existing development adjoining the activity centre;
- provide a transition in height along Lennox Street and Church Street from the taller forms on Bridge Road to the adjacent low rise residential neighbourhoods.
Building Heights and Setbacks – Precinct 1
Precinct 2 – Bridge Road South

The precinct design requirements for Precinct 2 are as follows:

Development must:

- retain the visual prominence of heritage buildings in the streetscape and the significant ‘High Street’ streetscape in the vista along the Bridge Road;
- retain the visual prominence of the return facades of corner buildings;
- be consistent in form, massing and façade treatment as existing upper level development (where this exists) for any upper level development behind rows of identical or similar residences;
- maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street;
- maintain a sense of openness along Bridge Road and Church Street.
Building Heights and Setbacks – Precinct 2
Precinct 3 – Bridge Road Central

The precinct design requirements for Precinct 3 are as follows:

Development must:

- retain the visual prominence of heritage buildings in the streetscape, including the row of heritage buildings at 289-307 Bridge Road and the return façade of corner heritage buildings;
- retain the visual prominence of the Richmond Town Hall in the vista along Bridge Road;
- be consistent in form, massing and façade treatment as existing upper level development (where this exists) for any upper level development behind rows of identical or similar residences;
- retain the visual separation and openness between the Richmond Town Hall and other buildings within the precinct;
- provide a respectful transition along Bridge Road to heritage buildings;
Building Heights and Setbacks – Precinct 3
Precinct 4 – Bridge Road East South

The precinct design requirements for Precinct 4 are as follows:

Development must:

- maintain and reinforce the prominence of the street wall character of Bridge Road;
- maintain the prominence of corner heritage buildings in the streetscape, including the return facades;
- provide a transition in street wall height along Bridge Road to the low scale residential properties of 618 to 640 Bridge Road;
- maintain a sense of openness along Bridge Road;
- respect the low scale existing development adjoining the activity centre.
MAXIMUM STREET WALL HEIGHTS & MINIMUM LIP LEVEL STREET SETBACKS (ALL PREFERRED EXCEPT WHERE NOTED)

- RETAIN HERITAGE FRONTAGE OR 11m STREET WALL (WHERE THERE IS NO HERITAGE FRONTAGE) WITH A 6m SETBACK ABOVE (MANDATORY FOR INDIVIDUALLY SIGNIFICANT BUILDINGS AND SIGNIFICANT HERITAGE STREETSCAPES)

- 8m STREET WALL WITH 5m SETBACK ABOVE

- 12m STREET WALL WITH 5m SETBACK ABOVE (EXCEPT WITHIN 5m OF A HERITAGE PROPERTY, WHERE A 6m PREFERRED SETBACK IS REQUIRED)

MAXIMUM BUILDING HEIGHTS

- 18.0m
- 21.0m

PREFERRED FRONT SETBACKS

- 2m
- 5m

MANDATORY HEIGHTS

ALL HEIGHTS ARE PREFERRED MAXIMUM BUILDING HEIGHTS EXCEPT WHERE MANDATORY MAXIMUM BUILDING HEIGHTS ARE SHOWN

THE MAXIMUM BUILDING HEIGHT MAY NOT BE ACHIEVABLE ON ALL SITES. BUILDING HEIGHTS MUST ADDRESS SETBACK REQUIREMENTS.
Precinct 5 – Bridge Road East North

The precinct design requirements for Precinct 5 are as follows:

Development must:

- provide a respectful transition to heritage buildings along Bridge Road;
- maintain the prominence of corner heritage buildings in the streetscape, including the return facades;
- maintain a sense of openness along Bridge Road;
- maintain and reinforce the prominence of the street wall character of Bridge Road;
- address and contribute to an engaging streetscape along Palmer Street and along side streets connecting to Bridge Road;
- break up the building mass and provide views to the sky between the upper levels of buildings when viewed from the northern footpath of Palmer Street and/or the southern footpath of Bridge Road.
Subdivision
None specified.

Advertising signs
None specified.

Advertising signs
None specified.

Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the General Design Requirements and Precinct Design Requirements in Clause 2.0 are met.
- Whether the Heritage Building Design Requirements in Clause 2.0 are met (where the land is affected by a Heritage Overlay or immediately adjacent to a Heritage Overlay).
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- The profile and impact of development on the vista along Bridge Road and Church Street.
- The profile and impact of development along Palmer Street when viewed from the north side of Palmer Street and the south side of Bridge Road.
- The impact of the development on view lines to:
  - the Pelaco sign;
  - the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall;
  - the tower belfry and spire of the Ignatius’ Cathedral.
- The design response at the interface with existing, low scale residential properties.
- Whether heritage buildings retain their three-dimensional form when viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- The wind effects created by the development.
- The suitability of vehicle access arrangements and the location, layout and appearance of areas used for car parking.
- The impact of vehicular access arrangements on the operation of the tram routes along Bridge Road and Church Street.

Expiry
The requirements of this schedule cease to have effect after 1 October 2020.
VICTORIA STREET ACTIVITY CENTRE

1.0 Design objectives

- To support a mid rise scale built from character with lower built form at the interfaces with streets and the adjoining low rise residential areas.
- To ensure that new development respects the values of heritage buildings and maintains their prominence in the streetscape.
- To maintain a prominent street wall character along Victoria Street with new development at upper levels setback, visually recessive and clearly distinct.
- To provide a comfortable level of street enclosure and ensure a high quality built form interface to all streets and public spaces.
- To minimise amenity impacts on residential properties adjoining the Victoria Street activity centre including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1 Definitions

Street wall is the façade of a building at the street boundary. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge, with the exception of architectural features and building services.

Building height does not include non structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment provided that all of the following criteria are met:
- the total roof area occupied by the service equipment (other than solar panels) is minimised;
- the service equipment is located in a position on the roof so as to minimise its visibility;
- the non structural elements and service equipment do not cause additional overshadowing of secluded private open space of neighbouring residential zoned properties and public spaces;
- the non structural elements and service equipment do not extend higher than 3.6 metres above the maximum building height; and
- the non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Setback is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the boundary.

Upper level development is development above the height of the street wall.

2.2 General requirements

The following requirements apply to an application to construct a building or construct or carry out works and must be read in conjunction with the relevant precinct design requirements:
Building heights and street wall height requirements

The mandatory and the preferred building height and street wall requirements are set out in the relevant precinct Building Heights and Setbacks Plans. Buildings or works must not exceed the maximum building height and street wall height shown in the relevant precinct Building Heights and Setbacks Plans.

- A permit cannot be granted to vary a building height shown as a mandatory building height in the relevant Building Heights and Setbacks Plan.

- A permit cannot be granted to vary a building height shown as a preferred building height in the relevant precinct Building Heights and Setbacks Plan unless all of the following requirements are met:
  - the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule;
  - the proposed building height achieves the preferred future mid-rise character for the Victoria Street Activity Centre; and
  - the proposal will achieve each of the following:
    - greater building separation than the minimum requirement in this schedule
    - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations
    - universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58
    - excellence for environmental sustainable design measured as a minimum BESS project score of 70%
    - no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.

- A permit cannot be granted to vary a street wall height shown as a mandatory street wall height in the relevant precinct Building Heights and Setbacks Plan.

- A permit cannot be granted to vary a street wall height shown as preferred in the relevant precinct Building Heights and Setbacks Plan unless the proposal meets the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule.

- The street wall height of development in a heritage overlay or immediately adjoining a heritage overlay must match the parapet height of the adjoining taller heritage building.

Setback requirements

The mandatory and the preferred setback requirements are set out in the relevant precinct Building Heights and Setbacks Plans. A development must meet the setback requirements shown in the relevant precinct Building Heights and Setbacks Plan.

- A permit cannot be granted to vary a setback shown as a mandatory setback in the relevant precinct Building Heights and Setbacks Plan.

- A permit cannot be granted to vary a setback shown as a preferred setback in the relevant precinct Building Heights and Setbacks Plan unless the proposal meets the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule.

In addition to the setbacks in the relevant precinct Building Heights and Setback Plan, the following setback requirements apply for any part of a building above the (retained) front street wall of a building:
<table>
<thead>
<tr>
<th>Requirement for any part of a building above the (retained) front street wall of a building</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development on Victoria Street between the rail line and Church Street.</strong></td>
</tr>
<tr>
<td><strong>Development along Nicholson Street, Lithgow Street and Church Street.</strong></td>
</tr>
<tr>
<td><strong>Development on Victoria Street east of Church Street</strong></td>
</tr>
<tr>
<td><strong>Development on Buttler Street and on York Street</strong></td>
</tr>
<tr>
<td><strong>Development in a heritage overlay:</strong></td>
</tr>
<tr>
<td>Must occupy no more than one quarter of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 2.</td>
</tr>
<tr>
<td>Development outside of a heritage overlay:</td>
</tr>
<tr>
<td>Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3.</td>
</tr>
<tr>
<td>Must not encroach within a 45 degree plane from the opposite side of the street - see Figure 4.</td>
</tr>
</tbody>
</table>

- Development adjoining a heritage building must match the upper level setback of the adjoining heritage building.
- Buildings must be set back from residentially zoned land (excluding Mixed Use Zone) as shown in Figure 1.

**Figure 1 – Setback for Interface with Residential Zoned Land**
Figure 2 – Setback for Upper Level Development

Figure 3 – Setback for Upper Level Development
Building separation requirements

- Where development shares a common boundary, upper level development must:
  - be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed;
  - be setback a minimum of 3.0m from the common boundary where a commercial or non habitable window is proposed.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

- In addition to the above, a building that exceeds a height of 21 metres must be setback at least one-sixth of the width of the lot to maintain views to the sky between buildings. Where the boundary is a laneway, the setback is measured from the centre of the laneway.

Overshadowing requirements

- Development must not overshadow any part of the southern footpath of Victoria Street to a distance of 3.0 metres from the kerb, between 11am and 2pm at 22nd September. A permit cannot be granted to vary this requirement.

- Development must not overshadow any part of the following:
  - the opposite footpath of Nicholson to a distance of 2.0 metres from the kerb between 11am and 2pm at 22nd September;
  - the opposite footpath of Lennox Street to a distance of 2.0 metres from the kerb between 11am and 2pm at 22nd September;
  - the opposite footpath of Church Street to a distance of 3.0 metres from the kerb between 11am and 2pm at 22nd September;
  - the opposite footpath of Burnley Street to a distance of 2.0 metres from the kerb between 11am and 2pm at 22nd September.

Vehicular access requirements

- Development must provide vehicular access from rear lanes or from side streets.
Development with redundant vehicle access points must reinstate the kerb, linemark parking bays, and relocate any parking signs.

Pedestrian access to buildings, including upper level apartments, must be from a street or a shared zone. Where pedestrian access can only be provided from a laneway, the pedestrian entrance must be setback from the rear laneway and well lit to enable safe access.

Building design requirements

Development must:

- incorporate vertical articulation in the street wall that reflects the prevailing pattern of subdivision and buildings;
- allow for commercial activity at the ground and first floor (as a minimum) incorporating commercial floor to floor heights of at least 4m, where heritage elements are not a constraint;
- incorporate awnings over the footpath on commercial zoned land for the full width of the lot, continuous with any adjoining awning;
- be expressed in the round and provide detail on facades when viewed from all directions;
- incorporate an architectural expression at upper levels that is distinct from but complimentary to the street wall.

Heritage building design requirements

In addition to the General Design Requirements and relevant Precinct Design Requirements, the following requirements apply to an application to construct a building or carry out works on land affected by a Heritage Overlay or on land immediately adjacent to a Heritage Overlay.

<table>
<thead>
<tr>
<th>Design Element</th>
<th>Design Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building facades and street frontages</td>
<td>Infill Buildings and Development Adjoining a Heritage Building</td>
</tr>
<tr>
<td>Façade treatments and the articulation of infill buildings on land affected by a heritage overlay and of new buildings on land immediately adjoining a heritage building must:</td>
<td></td>
</tr>
<tr>
<td>- ensure the façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of the adjoining heritage building(s);</td>
<td></td>
</tr>
<tr>
<td>- respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s);</td>
<td></td>
</tr>
<tr>
<td>- avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts;</td>
<td></td>
</tr>
<tr>
<td>- maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building;</td>
<td></td>
</tr>
<tr>
<td>- be articulated to reflect the fine grained character of the streetscape.</td>
<td></td>
</tr>
</tbody>
</table>

Contributory or Individually Significant Buildings

Adaptation of contributory or individually significant buildings must:

- avoid highly reflective glazing in historic openings;
- encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings;
- maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.

Upper Levels (above street wall height) | Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building must: |
| - be visually recessive and not visually dominate the heritage building and the heritage streetscape |
| - retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’; |
### Design Element | Design Requirement
--- | ---
- | utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades;
- | incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape;
- | be articulated to reflect the fine grained character of the streetscape.

### Precinct Design Requirements

The following specific Precinct Design Requirements apply in addition to the General Design Requirements.

**Precinct 1 – Victoria Street West**

Development must:

- retain the visual prominence of heritage buildings in the streetscape, including the return façade of corner heritage buildings;
- maintain and reinforce the prominence of the street wall character of Victoria Street;
- not overwhelm the heritage buildings on Regent Street;
- maintain a sense of openness of Victoria Street.
Building Heights and Setbacks – Precinct 1

THE MAXIMUM BUILDING HEIGHT MAY NOT BE ACHIEVABLE ON ALL SITES. BUILDING HEIGHTS MUST ADDRESS SETBACK REQUIREMENTS.
Precinct 2 – Victoria Street Central – Rail line to Nicholson Street

Development must:

- retain the visual prominence of heritage buildings in the streetscape, including the façade of corner heritage buildings;
- retain the visual prominence of the intact heritage streetscape between Shelley Street and Lennox Street in the vista along Victoria Street;
- maintain and reinforce the prominence of the street wall character of Victoria Street;
- maintain a sense of openness of Victoria Street;
- provide a transition to the two storey buildings in heritage precincts adjoining the activity centre;
- respect the existing low scale residential development adjoining the activity centre.
Building Heights and Setbacks – Precinct 2
Precinct 3 – North Richmond Station

Development must:

- provide a transition in street wall height along Hoddle Street to heritage buildings;
- provide a transition in street wall height along Regent Street from the low scale heritage properties near Victoria Street and on Wrede Place to taller development adjoining Elizabeth Street;
- provide a high quality and engaging interface at ground and lower levels to all streets leading to North Richmond Station;
- provide for surveillance of the platforms, entrances and ramps of North Richmond Station and surrounding streets;
- support and facilitate improvements to the public realm;
- respect the low scale existing development adjoining the activity centre.
Building Heights and Setbacks – Precinct 3

MAXIMUM STREET WALL HEIGHTS & MINIMUM UPPER LEVEL STREET SETBACKS (ALL DISCRETIONARY EXCEPT WHERE NOTED)

- RETAIN HERITAGE FRONTAGE OR 11m STREET WALL (WHERE THERE IS NO HERITAGE FRONTAGE) WITH A 6m SETBACK ABOVE (MANDATORY FOR INDIVIDUALLY SIGNIFICANT BUILDINGS)
- 11m STREET WALL WITH 5m SETBACK ABOVE (EXCEPT WITHIN 5M OF A HERITAGE PROPERTY, WHERE A 6m PREFERRED SETBACK IS REQUIRED)
- 15m STREET WALL WITH 3m SETBACK ABOVE (EXCEPT WITHIN 5M OF A HERITAGE PROPERTY, WHERE A 6m PREFERRED SETBACK IS REQUIRED)

THE MAXIMUM BUILDING HEIGHT MAY NOT BE ACHIEVABLE ON ALL SITES. BUILDING HEIGHTS MUST ADDRESS SETBACK REQUIREMENTS.

MAXIMUM BUILDING HEIGHTS

- 11.0m
- 24.0m
- 28.0m
- 34.0m

MANDATORY HEIGHT

ALL HEIGHTS ARE PREFERRED MAXIMUM BUILDING HEIGHTS EXCEPT WHERE MANDATORY MAXIMUM BUILDING HEIGHTS ARE SHOWN.
Precinct 4 – Victoria Street East

Development must:

- not overwhelm the heritage buildings on Victoria Street and Lithgow Street;
- maintain and reinforce the prominence of the street wall character of Victoria Street;
- maintain a sense of openness of Victoria Street;
- maintain views to the Skipping Girl sign when viewed from the intersection of Leslie Street and Victoria Street;
- provide a respectful transition to heritage buildings along Victoria Street and along Lithgow Street;
- provide a transition to the predominantly single storey buildings in heritage precincts adjoining the activity centre;
- respect the low scale existing development adjoining the activity centre.
Building Heights and Setbacks – Precinct 4

3.0
15/11/2018
C249

Subdivision
None specified.
4.0

Advertising Signs
None specified.

5.0

Application requirements
None specified.

6.0

Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the General Design Requirements and Precinct Design Requirements in Clause 2.0 are met.
- Whether the Heritage Building Design Requirements in Clause 2.0 are met (where the land is affected by a Heritage Overlay or immediately adjacent to a Heritage Overlay).
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- The profile and impact of development on the vista along Victoria Street.
- The design response at the interface with existing, low scale residential properties.
- Whether heritage buildings retain their three-dimensional form when viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- The design of the streetscape interface and its contribution to an active street environment.
- The wind effects created by the development.
- The impact of vehicular access arrangements on the operation of the tram routes along Victoria Street and Church Street.

Expiry
The requirements of this schedule cease to have effect after 1 October 2020.
SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO23.

COLLINGWOOD SOUTH (MIXED-USE) PRECINCT

1.0 Design objectives

- To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.

- To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.

- To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.

- To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.

- To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1 Definitions

**Street wall** is the façade of a building at the street boundary. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge, with the exception of architectural features and building services.

**Rear interface** is the rear wall of any proposed building or structure whether on the property boundary or set back from the property boundary.

**Building height** does not include non structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment provided that all of the following criteria are met:

- Less than 50% of the roof area is occupied by the equipment (other than solar panels);

- Any equipment is located in a position on the roof so as to avoid additional overshadowing of either public or private open space, or windows to habitable rooms of an adjacent property;

- Any equipment does not extend higher than 3.6 metres above the proposed height of the building; and

- Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

**Setback** is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the property boundary.

**Upper Level Development** is development above the height of the street wall.
Heritage Building refers to any building subject to a heritage overlay, graded as either Contributory or Individually Significant.

Built form requirements
The following buildings and works requirements apply to an application to construct a building or construct or carry out works.

Building height requirements
The building height requirements are set out in Plan 1: Building Heights Framework Plan of this schedule. Buildings or works must not exceed the maximum building height shown in Plan 1: Building Heights Framework Plan.

A permit cannot be granted to vary a building height specified in Plan 1: Building Heights Framework Plan, unless all of the following requirements are met:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the Overshadowing and Solar Access (Public Realm) Requirements;
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
  - universal access, and communal and / or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58; and
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70%.

Street wall height requirements
The street wall height requirements are set out in Plan 1: Building Heights Framework Plan of this schedule. Buildings or works must not exceed the maximum street wall height shown in Plan 1: Building Heights Framework Plan.

A permit cannot be granted to vary a street wall height specified in Plan 1: Building Heights Framework Plan unless all of the following are met:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 and the Heritage Building Design Requirements in this schedule;
- the proposed street wall height provides a transition, scaling down to the interface with heritage building, and is no more than two storeys higher than the street-wall height of the adjacent heritage building; and
- the proposed street wall height does not overwhelm the adjacent heritage building.

Setback requirements for non-heritage buildings
Development must be built to the front property boundary except for development at 54 and 56 Oxford Street. Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

Development must be setback in accordance with the minimum upper level setbacks specified in Table 1.
Table 1 – Minimum Upper Level Setbacks for Non-Heritage Sites

<table>
<thead>
<tr>
<th>Area 1</th>
<th>Area 2</th>
<th>Area 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>6m</td>
<td>6m</td>
<td>3m</td>
</tr>
</tbody>
</table>

For development adjacent to a heritage building, a permit cannot be granted to construct a building or carry out works if it does not meet the preferred minimum upper level setback requirements in Table 1 unless the proposal meets the Design Objectives and the Heritage Building Design Requirements in this schedule.

Setback requirements for heritage buildings

For single storey heritage buildings, development must:

- be setback a minimum of 6m from the heritage façade; and
- be designed to occupy no more than ¼ of the visible built form, as viewed from the opposite side of the street at a height of 1.7m above the footpath, as illustrated in Diagrams 1 and 2.

Diagram 1 – Sight-line test: ¼ : ¾ of visible parts of building (single storey)

Diagram 2 – Sight-line test: ¼ : ¾ of visible parts of building (single storey with parapet)

For two storey heritage buildings, development must:

- be setback a minimum of 6m from the heritage façade; and
- be designed to occupy no more than ¼ of the visible built form, as viewed from the opposite side of the street at a height of 1.7m above the footpath, as illustrated in Diagram 3.
Heritage building design requirements

Alterations and additions to heritage buildings must be designed to:

- be visually recessive when viewed at any location along the streetscape, from the opposite side of the street;
- retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘façadism’;
- not visually dominate the existing heritage fabric;
- retain the visual prominence of the return façades of buildings on corner sites;
- retain solid built form behind retained façades and avoid balconies behind existing openings;
- maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings;
- utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades.

Development on sites within a Heritage Overlay, graded as Not-Contributory, or on sites adjacent to a heritage building should be designed to:

- provide a transition in height at the interface (side or rear boundary) with the heritage building;
- ensure that façade treatments are simple and do not compete with the detailing of the adjacent heritage building(s);
- incorporate simple architectural detailing that does not detract from significant elements of the heritage building;
- be visually recessive;
- be articulated to reflect the fine grained character of the streetscape, where this is a prominent feature.

Overshadowing and solar access (public realm) requirements

Development must not overshadow any part of the southern side footpath of the following streets, between 10am and 2pm on September 22:

- Peel Street to a distance of 2.0 metres from the kerb;
- Langridge Street to a distance of 2.0 metres from the kerb;
- Derby Street to a distance of 2.0 metres from the kerb.

For streets that extend in a north-south direction, development must not overshadow:

- the eastern footpath to a distance of 2.0 metres from the kerb between 10am and 2pm on September 22;
the western footpath to a distance of 2.0 metres from the kerb from 10am to 2pm on September 22.

Development must be designed to minimise overshadowing of the following areas of open space between 10am and 2pm on September 22:

- Cambridge Street Reserve;
- Oxford Street Reserve;
- The outdoor space of the Collingwood English Language School.

**Other design requirements**

Development interfacing with areas of public open space must:

- provide a suitable transition in scale to the interface with the public open space;
- ensure that development does not visually dominate the public open space;
- provide passive surveillance from lower and upper levels.

Development at the rear of the properties at 10 - 22 Derby Street must be designed to address Langridge Street.

The rear interface of a development abutting a laneway must not exceed a preferred height of 11 metres.

The street frontage of development must:

- provide a prominent, well-articulated street-wall edge that provides a distinction between the lower and the upper levels of the building;
- address all street frontages and, where heritage elements are not a constraint, incorporate design elements/features that contribute to an engaging streetscape, avoiding blank walls and provide active frontages, where appropriate to the proposed use at ground level;
- be designed to accommodate (or can be adapted to accommodate) commercial activity at the ground floor incorporating a suitable commercial floor height, where heritage elements are not a constraint;
- locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building;
- respond to the topography of the east-west oriented streets through transition and “stepping” of the ground floor to appropriately address the street.

The design of upper levels of development must:

- be well-designed and articulated to break up the building mass across sites with a wide frontage;
- distinguish between the lower and upper levels through materials and articulation;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape;
- provide passive surveillance of adjacent streets and public open space.

**Building separation, amenity and equitable development requirements**

An application for development must provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk.

Where development shares a common boundary, upper level development must:

- be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed.
be setback a minimum of 3.0m from the common boundary where a commercial or non habitable window is proposed.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

**Vehicle access and car parking requirements**

Development must be designed to:

- avoid providing vehicle access from Wellington Street and provide access from a side street or laneway where practical;
- provide car parking in a basement. Where basement car parking is not possible, it must be concealed within the building envelope;
- avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

Pedestrian access to buildings, including upper level apartments, must be from a street or a shared zone. Where pedestrian access can only be provided from a laneway, the pedestrian entrance must be setback from the laneway and be well lit to enable safe access.

**Subdivision**

None specified.

**Advertising signs**

None specified

**Application requirements**

None specified

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the Built Form Requirements in Clause 2.0 are met.
- Whether the Heritage Building Design Requirements in Clause 2.0 are met (where the land is affected by a Heritage Overlay or immediately adjacent to a Heritage Overlay).
- Whether the proposal has considered the development rights/potential of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design.
- Whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site though a suitable transition in scale of street-wall, upper level setbacks and building height.
- How the proposal responds in terms of scale and transition to the sloping topography of the area.
- The design response at the interface with existing low-scale residential properties, including the overshadowing of secluded private open space.
- Whether the proposal provides a high quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm.
- How any proposed buildings and works will impact on solar access to footpaths and public open spaces.
- The wind effects created by the development.

**Expiry**

The requirements of this schedule cease to have effect after 17 October 2020.

**Plan 1: Building Heights Framework Plan**
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.

32-68 MOLLISON STREET AND 61-69 WILLIAM STREET, ABBOTSFORD JULY 2013

1.0

Purpose

To facilitate the use and development of the land at 32-68 Mollison Street for office, commercial and compatible uses that will provide jobs and business activity for the local area.

To encourage the use and development of land at 61-69 William Street, Abbotsford for predominantly residential purposes.

2.0

Conditions and requirements for permits

An application to construct a building at 61-69 William Street must include a design response to the satisfaction of the responsible authority. The design response is to contain information on the following:

- How the building respects the interface with the Denton Hat Mills building (56 Nicholson Street, Abbotsford) and the residential interface to the south.
- How upper levels (above 5 metres) are setback from Little Nicholson Street to reduce the impact of new built form on existing residential apartments and to ensure access to sunlight.
- The provision of safe and efficient pedestrian and vehicle access to the building.
- A traffic report that demonstrates the safe entry and exit of vehicles from the property to William Street only.

An application to construct residential dwellings at 61-69 William Street must include a noise assessment and design response to the satisfaction of the responsible authority to ensure industrial properties north of Mollison Street are not adversely affected by reverse amenity impacts.

An application to construct a building at 32-68 Mollison Street must include:

- A design response to the satisfaction of the responsible authority having regard to the proximity of properties to the north in a different zone including the potential impacts from noise, light, odour and 24 hour traffic movements.
- An active ground floor frontage incorporated into the design of the car park building at 32 Mollison Street.

An application that includes residential or other sensitive uses should:

- Minimise the potential impacts of local business (including noise, light, odour and 24 hour traffic movements), in the design and construction of buildings.
- Include design and noise attenuation measures that achieve the noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of State Environment Protection Policy No N-1 ‘Control of Noise from Commerce, Industry and Trade’ (SEPP N-1) for calculation of noise limits.
- Locate, and if necessary screen, private open spaces, including balconies, to attenuate industrial noise to meet the requirements of SEPP N-1.
- Incorporate design measures that minimise the potential impact of non-routine odour emission.

3.0

Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- The impact of the height, bulk, design and appearance of the building or works on the character and amenity of the surrounding area.
- The extent to which environmentally sustainable design features and practices are adopted.
- The relationship of any new buildings to the street including entrances that provide opportunities for active or visual engagement.
- The design of the car park building including how it relates visually to the street environment and the extent of activation of the frontage at street level.
- Whether new buildings provide an attractive and engaging edge to the street environment through landscaping and/or architectural design features.
- The visibility and layout of the development, and the extent to which screening of mechanical plant equipment is required.
- Any reverse amenity impacts of the proposal on existing and on-going operations of existing commercial and industrial activity in the adjoining and surrounding area.
- The effectiveness of new residential development and other noise sensitive uses in protecting their own amenity where potentially affected by existing commercial and industrial activity.
- Whether the proposed development has regard to the heritage values of the site as applicable.

**Requirements for incorporated plan**

The incorporated plan must show:

- Building heights for each area in storeys, and metres or RLs.
- Building features to be retained.
- Vehicle entry and exit points for the site.
- Proposed land uses for the subject sites.
- Land use interface management.
SCHEDULE 2 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO2.

18-62 TRENERRY CRESCENT, ABBOTSFORD, MAY 2018

Note: Also include reference to the Incorporated plan in the Schedule to Clause 81.01

1.0

Requirement before a permit is granted

None Specified.

See 43.03-1 for relevant provisions.

2.0

Permits not generally in accordance with incorporated plan

None specified.

See 43.03-1 for relevant provisions.

3.0

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

- An application to construct a building on the site that includes multiple residential dwellings must allocate a minimum leasable floor area* of 20% of its net floor area** for office/retail/commercial or other employment generating uses, to the satisfaction of the responsible authority.

  *Leasable floor area - That part of any floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.
  **Net floor area - 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.

- A design response that:
  - describes how the building respects and addresses the interface with Trenerry Crescent, Turner Street and the former industrial interface to the Yarra River Corridor;
  - addresses the sensitive river corridor environs in terms of materials and the suitable design and articulation of facades in order to minimise visual impacts when viewed from the river corridor and Yarra Bend Park; and
  - provides safe and efficient pedestrian and vehicle access to the building.

- A heritage impact statement prepared by a suitably qualified professional that assesses the impact of the proposed development on the heritage values of the heritage place.

- A visual impact assessment, to the specifications of the responsible authority, that provides for the following:
  - A 3D model of the development and its surrounds in conformity with the Department of Environment, Land, Water and Planning Infrastructure Advisory Note – 3D Digital Modelling. Where substantial modifications are made to the proposed building envelope, a revised 3D digital model must be submitted to the Responsible Authority;
  - Site line analysis and 3D modelling of the proposed development from key view points in the public realm to enable an assessment of the visual impact of the development on heritage places; and
- Perspectives showing the visual prominence of the development from public vantage points along the Yarra River corridor (including Capital City Trail, Dights Falls and Yarra Bend Park).

- A car parking and traffic impact assessment that considers:
  - the safe entry and exit of vehicles and how these minimise conflicts with any existing pedestrian and cycle links;
  - the means proposed to promote reduced car use and promote sustainable travel including opportunities for the provision of a car share system and Green Travel Plan initiatives that promote sustainable transport options including the provision of on-site bicycle storage and end-of-trip facilities;
  - the provision of car parking, circulation and layout of car parking, and the recommended bicycle parking provision rates;
  - the impact of any additional traffic on the surrounding road network, and how any necessary mitigation measures should be addressed.

- A landscape scheme that considers the suitability of existing vegetation on the site and measures to protect and enhance vegetation along the banks of the Yarra River (immediately east of the site) including a revegetation program and protection of the existing trees in Trenerry Crescent and Turner Streets.

See 43.03-1 for relevant provisions.

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.03 which is not generally in accordance with the incorporated plan, in addition to those specified in Clause 43.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- How the proposed development responds to the purpose and objectives of the Incorporated Plan and accords with the 18-62 Trenerry Crescent Framework Plan;
- How the proposed development responds to the Yarra River Corridor Strategy which seeks to protect the natural characteristics of the Yarra River corridor;
- How the proposed development responds to the land use and built form guidelines and principles in Part 4 of the Johnston Street Local Area Plan, 2015;
- The impact of the height, bulk, design and appearance of the building or works on the character and amenity of the surrounding area;
- The scale and design of new development and its transition to the adjoining building at 64 Trenerry Crescent;
- The impacts of overshadowing on windows to habitable rooms in the existing building to the south and southern side footpath on Turner Street, caused by upper levels of new development, between 9am and 3pm on September 22 (equinox);
- How the proposed development has regard to the heritage significance of the place;
- The relationship of any new buildings to the street including entrances that provide opportunities for active or visual engagement and whether new buildings provide an attractive and engaging edge to the street environment through landscaping and/or architectural design features;
- The design of any car park area including how it relates visually to the street environment and the extent of activation of the frontage at street level;
- The impact of development on the surrounding road network, including the intersection of Trenerry Crescent and Johnston Street;
The extent to which the design of any building and the materials used, minimises the visual impacts of built form when viewed from the Yarra River corridor and Yarra Bend Park;

- The extent to which the design of sustainable travel options are provided as part of the development, in accordance with a Green Travel Plan;
- The extent to which screening of mechanical plant equipment is achieved.

See 43.03-3 for relevant provisions.

### Preparation of the incorporated plan

An incorporated plan must include the following requirements:

- Objectives for the future use and development of the site.
- A plan showing:
  - Relevant building heights and setbacks across the site;
  - Building height in metres or RL’s’
  - Heritage features to be retained;
  - Other heritage features/fabric;
  - Vehicle entry and exit points for the site;
  - Visual connections to the Yarra River Corridor;
  - Areas of landscaping to minimise the visual intrusion of development in the Yarra River Corridor.

See 43.03-4 for relevant provisions.
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 2 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO2

AUSTRALIAN CATHOLIC UNIVERSITY DEVELOPMENT PLAN

The development plan provides criteria for any future use and development of land at 115 Victoria Parade and 20-23 Brunswick Street, Fitzroy.

1.0

Requirement before a permit is granted

No specific requirements

2.0

Conditions and requirements for permits

No specific requirements

3.0

Requirements for development plan

The development plan must show:

- a description of the proposed uses, including the proposed hours of operation, student numbers (full-time and part-time), and staff numbers;
- the proposed layout and use of each site, including the layout and use of each level of the subject buildings;
- the buildings and works to be demolished;
- the location, appearance, height dimensions and floor area of all new buildings and works;
- a schedule showing the materials, finishes and colours of all external buildings and structures;
- the number, location, dimensions, and layout of all car parks and access ways to and from them;
- a management plan for the operation and maintenance of the car park areas;
- the location and dimensions of all bicycle, vehicle and pedestrian ways;
- a traffic management plan which must show any traffic management and traffic control works considered necessary in adjoining and nearby roads when the development is completed;
- the means of vehicular and pedestrian ingress to and egress from the land;
- a landscape plan which includes details on furniture, lighting and the location, quantity and size at maturity of all proposed plants, the botanical names of the plants, the location of all areas to be covered by lawn or other surface materials and provides a specification of works to be undertaken prior to planting; and
- a management plan for controlling and maintaining the open space and landscaped areas.
- The development plan shall be available for public inspection at the Richmond Town Hall for 14 days prior to its consideration by the responsible authority.

4.0

Decision guidelines

Before deciding on application the responsible authority must consider:

- any written comments received in response to the display of the development plan;
- the impact of the proposed development and use on adjacent and nearby properties, roads and other physical infrastructure;
- the impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood;
- points of access to and from the land and whether they are suitably located;
● the layout and management of carparking areas and accessways to and from them;
● any relevant Council policy;
● any applicable heritage study and any applicable conservation study;
● the character and appearance of any proposed buildings or works and their impact on the heritage significance, character and appearance of any heritage places; and
● whether the location, bulk, height and appearance of any proposed buildings or works will be in keeping with the character, amenity and streetscape of the area
SCHEDULE 3 TO THE DEVELOPMENT PLAN Overlay

Shown on the planning scheme map as **DPO3**

SWAN STREET DEVELOPMENT, BURNLEY

The development plan provides criteria for future development of land known as 572-576 Swan Street and Crown Allotments 16T1 and 16T3, Parish of Jika Jika, Burnley.

1.0 Requirement before a permit is granted

A permit may be granted to subdivide land before a development plan has been prepared to the satisfaction of the responsible authority.

2.0 Requirements for development plan

The development plan must include:

- **A Site Analysis Plan including considerations of:**
  - Topography.
  - Significant vegetation.
  - Views from and towards the site.
  - Surrounding land uses and developments.
  - Vehicle and pedestrian links into the site including public transport links.

- **A Development Concept Plan which shows:**
  - A precinct plan for the site.
  - Building locations, car parking areas, accessways and open spaces.
  - Maximum building heights, maximum floor areas and indicative uses at each building location.
  - Built form, scale, setbacks and heights of buildings.
  - Preferred materials and finishes.
  - Orientation, overshadowing and overlooking.
  - Car park and access treatments.
  - Open space and availability and maintenance of open space areas.
  - Linkages from the site to surrounding areas.
  - Three-dimensional views from the Yarra River of the proposed development.

Such plan shall be generally in accordance with the Billard Leece Partnership site plan dated 19 August 2003 and other Billard Leece Partnership drawings for the site dated 27 July 2003 through to 22 September 2003.

- **A Landscape Concept Plan for the site that:**
  - Identifies all areas of vegetation to be retained or removed.
  - Provides for a planting theme and species throughout the site.
  - Identifies any management requirements for the retention of significant vegetation during construction.
  - Identifies the provision of street furniture including public lighting.
- Clearly delineates public open space and through links within the site.

- An Integrated Transport Plan including:
  - Traffic management and traffic control works for the site and in adjoining and nearby roads, having regard to the proposed development on the site and surrounding development and use.
  - Car parking requirements for the development; number of spaces, location and layout of all car parking areas.
  - Public transport availability, improvements and promotion.
  - Bicycle and pedestrian ways and connections.

**3.0 Decision guidelines**

In assessing a Development Plan or an amendment to a Development Plan, the responsible authority should consider the:

- Purposes of the zone and any other relevant provisions of the planning scheme.
- Findings of the site analysis.
- Views of Yarra City Council.
- Movement network both internal and external to the site.
- Interface of the site with adjoining open space to the east and the road network.
- Views from the Yarra River.
SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4

JAQUES DEVELOPMENT SITE RICHMOND

The Jaques development site is bounded by Palmer Street, Highett Street, Griffiths Street and Coppin Street, Richmond.

Requirement before a permit is granted

A permit may be granted for subdivision and title consolidation and to construct or carry out minor works including site preparation works and related activities before a development plan has been approved to the satisfaction of the responsible authority.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and will contribute to the vision for the Jaques site.

The land may be developed in stages.

Conditions and requirements for permits

Nil

Requirements for development plan

The vision

The Jaques site is to be redeveloped to provide a predominantly medium to higher density residential development supported by commercial at the southern end and a limited range of other uses that activate the public realm while maintaining residential amenity. The project will demonstrate a high quality architectural response using articulation and external detailing to create visual interest. The development will provide a diverse range of dwelling types including home offices, studio apartments and apartments. Multi-level buildings in a central garden setting and stepping back from street frontages are envisaged that are designed to minimise off-site effects, implement innovative ESD features and provide a high standard of internal amenity. A public east-west pedestrian link through the site and public plaza are required to improve connectivity between the residential areas further to the east and the community hub developed around the Richmond Town Hall and Bridge Road. While part of the perimeter wall will be retained or reconstructed, it is envisaged that it will be modified to provide a street address for new dwellings and sight lines into the site.

Building height

In the development plan, building height is the vertical distance between the foot path or natural surface level at the centre of the site frontage and the highest point of the building with the exception of architectural features, roof forms, building services and the like.

Building envelope

In the development plan, the building envelope nominates the preferred building height for a new building and the area of the site within which the building should be located relative to other building envelopes, setbacks, street frontage.

Development plan components

The development plan must include:

- A comprehensive Site Analysis Plan that provides details of:
  - Surrounding land uses and development
- Vehicle and pedestrian links
- Public transport
- Topography
- Street trees
- On-street parking

- Urban design objectives and outcomes which contribute to the vision for the Jaques site and include context, built form height and massing, diversity and articulation, roof forms, street activation, setbacks and edges, internal amenity, vehicle access and car parking, ESD, and the public realm.

- A development concept plan which shows or provides the following information:
  - The extent of the perimeter wall proposed to be retained or reconstructed and arrangements for its on-going maintenance;
  - An east-west pedestrian link through the site that will be available at all times for public access;
  - Areas available for public use within the development, a management plan for these areas and clarification of the intended legal status of public areas following completion of the development;
  - A landscape concept plan;
  - Indicative development schedule showing:
    - Proposed number, size and type of dwellings (including home office); and
    - Proposed non-residential uses including maximum gross floor areas and location.
  - Building envelopes that include height, setbacks, minimum off-sets between buildings to provide internal amenity; preferred pedestrian entry points and frontages;
  - The rationale for the heights shown on the building envelopes;
  - Shadow diagrams on the hour between 9am and 3pm on 22 September;
  - Perspectives from all external streets and public areas within the development or other techniques that help to illustrate the nature of the development;
  - Proposed materials and finishes for all buildings;
  - Preferred locations for vehicle egress and ingress;
  - Location and access points for on-site car parking;
  - Specified car parking rates for all uses, including visitor parking;
  - A traffic management plan which may identify the need for traffic management and control works generated by the development;
  - A bicycle facilities plan;
  - A strategy to encourage public transport use, including green travel plans;
  - A response to Clause 15.12 Energy Efficiency and Clause 22.10-3.5 Environmental Sustainability in the Yarra Planning Scheme;
  - A response to the Safer Design Guidelines for Victoria;
  - A response to Clause 16 .05 Affordable Housing in the Yarra Planning Scheme;
  - A response to Clause 22.10 Built Form and Design Policy in the Yarra Planning Scheme that identifies urban design objectives and outcomes that contribute to the vision for the Jaques site.
Decision guidelines

Before deciding on a request to approve a development plan or a request to amend a development plan, the responsible authority should consider:

- How the development plan contributes to the vision and achieves the urban design objectives and outcomes for the Jaques site
- Clause 65 Decision Guidelines.
SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5.

CHANNEL NINE SITE, BENDIGO STREET, EAST RICHMOND

1.0

Requirements before a permit is granted

A permit may be granted for subdivision and title consolidation and to construct or carry out minor works including site preparation works and related activities before a development plan has been approved to the satisfaction of the responsible authority.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and will contribute to the vision for the Channel Nine site.

The land may be developed in stages.

2.0

Conditions and requirements for permits

Community facility

Prior to the issue of a statement of compliance for any plan of subdivision of the Channel Nine Site or any part of it and prior to the construction of any new building to be used for accommodation of any type the landowner must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The Agreement must provide for the transfer to the City of Yarra of part of the site having an area of not less than 400 square metres at ground level within the former Wertheim Piano Factory building for the purposes of development by Council for community uses, all at no cost to Council. The Agreement must provide for the identification of the land to be transferred, the subdivision of such land, the timing of the transfer of the land to Council (which shall be no later than the first stage of re-development of the site) and the condition in which the land and any buildings on the land will be transferred to Council. The agreement must provide for the land to be free from any contamination and be fit for a sensitive use. The landowner must bear the costs of preparation of the Agreement and any associated costs involved in the land transfer.

The area of the land contribution provided for under this clause is not to be included in any calculation of land for the purposes of ascertaining any required public open space contribution.

3.0

Requirements for development plan

Vision

- The Channel Nine site will become a sustainable, predominantly residential community.
- The Channel Nine site will be redeveloped to provide a predominantly medium to higher density residential development, providing homes for a diversity of households including affordable housing, supported by community facilities.
- The development will demonstrate a high quality architectural response, implement innovative ESD features, provide opportunities for best practice in environmental management, and provide a high standard of internal amenity.
- The development will retain and promote the adaptive re-use of the existing heritage buildings.
- The development will improve permeability and connectivity through the site and with the broader neighbourhood, prioritising pedestrians and cyclists over cars.

Requirements

The development plan must comprise:

- a concept plan which responds to:
- any agreement or other arrangement for the transfer of a community facility to the City of Yarra
- the articulated vision for the Channel Nine Site
- the indicative layout of development described in Figure 1

- an itemised assessment of how the plan responds to the Land Use and Urban Design Principles
- any other document, plan or report referred to in this Schedule.

**Figure 1 – Indicative site layout**

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**Required documents, plans and reports**

The following documents must form part of the Development Plan:

**Site and Context Information**

- A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing or proposed uses on adjoining land.

- A context analysis identifying the surrounding area, existing or proposed uses on adjoining land, and other neighbourhood features such as public transport, neighbourhood centres, walking and cycling connections.
A heritage report where development directly interfaces with the existing heritage buildings on the site in accordance with the requirements of Heritage Victoria.

Identification of important views to be protected and enhanced, including views of the existing heritage buildings.

An assessment of the existing engineering infrastructure servicing the site.

Open Space and Landscape

A Landscape Concept Plan for the site that provides:
- the proposed location of all open space and recreation facilities to be provided on the site, including areas available to the public
- an assessment of existing vegetation on the land by a suitably qualified arborist, and retention of existing trees where possible
- maximum opportunities to retain mature trees with adequate setbacks to development
- a planting theme which complements neighbourhood character, surrounding street trees, and demonstrates water sensitive urban design objectives.

Community Facilities

A Community Facilities Analysis Plan that considers the social impact of the development upon the area and identifies the following:
- the community facilities demand generated by the development, including analysis of likely population profile
- how the community facility could be used in response to the demand analysis.

Access and Movement

A comprehensive transport analysis and impact assessment which identifies:
- expected traffic volumes associated with the proposed use and development of the site and the impact on the existing road network within the Burnley Street, Swan Street, Burnley Oval and Bridge Road precinct
- expected trip generation by residents, staff and visitors, and for deliveries and service vehicles to the site.

A transport, traffic and access management plan (Integrated Transport Plan) based on the transport analysis and impact assessment which includes appropriate measures to address the transport, traffic, pedestrian and bicycle access needs of the development, and impacts on the existing road network, in particular:
- the provision of roads proposed for the site that:
  - complements the form and structure of the surrounding network
  - recognises the primacy of pedestrian and bicycle access within the site
  - provides a high level of amenity and connectivity
  - allows for appropriate levels of manoeuvrability for emergency and service vehicles
  - are of sufficient width to accommodate wide footpaths, new trees and bicycle lanes.
- the provision of a network of safe and convenient pedestrian and bicycle accessways through the site and connecting with the surrounding area. Pedestrian links should be a minimum width of 4 metres, with high quality paving materials and lighting
- proposed parking provision for all uses including visitor and bicycle parking
- the location and layout of all car and bicycle parking areas and access to and from them
- provision for loading and unloading of vehicles and means of access to them, including waste, delivery and furniture removalist vehicles
- a strategy to encourage public transport use, including green travel plans
- any local area traffic management initiatives or changes to existing on-street parking restrictions for the Burnley Street, Swan Street, Burnley Oval and Bridge Road precinct.

**Engineering Infrastructure**

- Provision of all appropriate utility services.
- Preparation of a stormwater drainage master plan.
- The identification of the location of any on-site drainage retention facilities.

**Development Staging**

- An indication of the likely staging and anticipated timing of the development of the land.

**Land use and urban design principles**

The Development Plan must provide for the following:

**Urban Design**

- Urban design outcomes which meet the following objectives:
  - Integrate any new development of the site with the surrounding residential streets.
  - Improve permeability of the site, and connectivity with the broader neighbourhood by introducing connections and access through the site.
  - Protect the amenity of the low rise residential areas that interface with the site.
  - Ensure that new development does not adversely impact on local traffic conditions.
  - Design and finish all the newly created streets and links as spaces that are part of the public domain, and are universally accessible.
  - Prioritise pedestrians and cyclists over cars.
  - Retain and consider the adaptive re-use of existing heritage buildings.
  - Ensure new development complements existing heritage buildings on the site.
  - Respect the existing residential streetscapes in both scale and form.
  - Interpret the history of the site in the landscape design of the complex.
  - Ensure that all development achieves design excellence and that a high quality palette of materials and finishes is selected.
  - Incorporate environmentally sustainable development principles in the design of the development.
  - Ensure that all new public and commercial buildings are designed to enable access to and within the buildings for all people, and all new dwellings are visitable by people with mobility impairment.
  - Encourage undergrounding of powerlines.

**Built Form**

- Building massing and heights should ensure that there is an appropriate transition in scale between the built form of new development and nearby low rise residential development.
Urban design and built form outcomes shall be demonstrated through plans showing:
- building envelopes
- height expressed in RLs
- appropriate spacing of buildings
- how the development will interface with adjacent sites and streets, and generally limiting building heights along Bendigo Street, the eastern end of Khartoum Street, Stawell Street and Wertheim Street to a maximum of 3 storeys;
- compliance with Safer Design Guidelines for Victoria
- proposed materials and finishes for all buildings.

**Land Use**

- Predominantly residential development incorporating a variety of dwelling types and affordable housing, and including:
  - the proposed uses of each building and estimated floor area for each use
  - an indication of the approximate residential yield for the site, comprising a range of residential development densities, and including affordable housing
  - the location of community facilities
  - the location of public open space areas.

**Environmentally Sustainable Development**

- Provision of safe and convenient walking and cycling paths through the site to encourage the use of sustainable travel modes to local amenities.
- Provision of an Environmentally Sustainable Development submission that addresses:
  - energy efficient orientation of buildings
  - energy management
  - water conservation and reuse
  - waste recycling
  - sustainable building materials and construction techniques
  - demolition and construction waste management.

**Affordable and accessible housing**

- By completion of the development of all the land:
  - Provision of affordable housing representing 5% of the total number of apartment dwellings to be developed
  - Provision of either adaptable or fully accessible wheelchair housing in accordance with AS1428.1 (2009) representing 5% of the total number of apartment dwellings to be developed (including within the affordable housing component) to the satisfaction of the responsible Authority.
SCHEDULE 10 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10.

**Richmond Precinct**
Incorporating the Richmond Estate, Richmond.

**Fitzroy Precinct**
Incorporating the Atherton Gardens Estate and 100 Napier Street, Fitzroy

**Vision**
To achieve a long term outcome of urban renewal and revitalisation for the Richmond Precinct and Fitzroy Precinct housing estates through a diversity of housing types.

To facilitate the provision of housing in an area that benefits from excellent access to existing public transport, health and community services, retail services, employment and educational opportunities.

To create a development that is affordable, accessible and well connected to the surrounding neighbourhood.

To achieve a built form outcome that demonstrates a high quality architectural response, implements innovative Environmentally Sustainable Design features, and provides a high standard of internal amenity.

1.0

**Requirement before a permit is granted**
A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority provided the responsible authority is satisfied that the subdivision, use, buildings or works will not prejudice the ability of future use and development to meet the vision for the site.

The land may be developed in stages.

A development plan for any one stage of the development may be approved and a permit for that stage may be issued prior to the approval of a development plan for any other stage of the development.

2.0

**Conditions and requirements for permits**
Nil

3.0

**Requirements for development plan**

**Development Plan**
The development plan must show or include the following information to the satisfaction of the responsible authority, as appropriate:

- An Existing Conditions Plan showing:
  - The land to which the development plan applies.
  - Orientation, boundaries, dimensions of the site and any easements.
  - Contours.
  - Existing building footprints.
  - Significant existing vegetation.
  - Surrounding land uses and development.
• A Site Analysis and Design Response including consideration of:
  - Buildings proposed to be demolished.
  - The proposed use and development of each part of the land.
  - Vegetation to be retained.
  - Views to and from the site.
  - Vehicle and pedestrian links into the site including public transport links.

• A site assessment, or preliminary review of the site history (including current and previous uses and any activities that have occurred on site such as landfill) by a suitably qualified environmental professional.

• A Development Concept Plan which shows:
  - Building locations, land uses, car parking areas, pedestrian and bike paths, vehicle access locations, and areas and locations of open spaces.
  - Building envelopes for new buildings including preferred maximum building heights, the minimum separation distances between buildings, the minimum setback from the street frontage, and the preferred street address.
  - Indicative numbers of and, where relevant, the proposed mix of private and public dwellings.
  - Preferred materials and finishes.
  - Orientation, overshadowing and overlooking.
  - Car park and access treatments.
  - Open space and availability and maintenance of open space areas.
  - Linkages from the site to surrounding areas.
  - A statement of the environmentally sustainable design measures to be incorporated into the proposal, particularly in the areas of energy and water efficiency, passive solar design, natural ventilation, stormwater reduction and management.
  - A Landscape Concept Plan for the site.
  - A Traffic Report identifying traffic impacts and car parking requirements, and where required any traffic management measures.
  - A Waste Management Concept Plan indicating waste collection, storage and removal facilities and areas.

Staging
If a development plan is prepared for part of the land or for a stage of the development, the responsible authority must be satisfied that its approval will not prejudice the ability for the future use or development of the land to achieve the vision for the site.

Decision guidelines
Before deciding on an application for a permit or a request to approve a development plan or a request to amend a development plan, the responsible authority must consider, as appropriate:

• The views of Yarra City Council.
• Whether the development achieves the vision for the site.
SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO11.

AMCOR SITE, HEIDELBERG ROAD, ALPHINGTON

This schedule applies to the Amcor site which is bounded by Heidelberg Road, Parkview Road (including No 28 Parkview Road) Chandler Highway and the Yarra River.

1.0 Requirements before a permit is granted

A permit may be granted before a development plan has been approved for the following:

- Earthworks and site preparation works provided the works are carried out in accordance with a Construction Management Plan prepared in accordance with this Schedule;
- The removal or demolition of any building provided the demolition or works are carried out in accordance with a Construction Management Plan prepared in accordance with this Schedule;
- The construction of minor buildings or works provided the buildings or works are carried out in accordance with a Construction Management Plan prepared in accordance with this Schedule;
- Consolidation or subdivision of land; and
- Removal or creation of easements or restrictions.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and will contribute to the vision for the Amcor site.

The land may be developed in stages.

2.0 Conditions and requirements for permits

Except for a permit issued as provided for under Clause 1.0, a permit must contain conditions or requirements which give effect to the provisions and requirements of the approved Development Plan.

Before granting any permit in accordance with an approved development plan, the owner/s of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 which must provide, to the satisfaction of the responsible authority that the owners will:

- Provide 5% of the total number of dwellings for the purpose of affordable housing developed in association with an accredited housing association;
- Provide the first 30 metres of land from the Yarra River, measured from the edge of the river bank, to maintain ongoing public access, protect riparian vegetation and maintain landscape values along the Yarra River; and
- Construct a pedestrian and bicycle path along the Yarra River frontage of the site connecting with existing pedestrian and bicycle accessways.

The cost of preparing and lodging the agreement, including any Land Titles Office registration fees, must be paid for in full by the owner(s).

Prior to the commencement of any permitted demolition, buildings or works, a detailed Construction Management Plan as relevant demolition or those buildings or works must be prepared to the satisfaction of the responsible authority. In considering the Construction Management Plan, the responsible authority must take into account any comments received from VicRoads and Public Transport Victoria within 21 days of the date of referral of the Construction Management Plan to the relevant authorities. The Construction Management Plan must include, but is not limited to, the following:

- Staging of construction;
Protection of heritage fabric consistent with any conditions attached to any permit or exemption issued for the relevant demolition, subdivision, buildings or works;

Protection of identified significant vegetation;

Management of public access and linkages around the site during construction;

Site access, parking and traffic management;

Any works within the Heidelberg Road, Chandler Highway, LaTrobe Avenue, Lugton Street or Parkview Road road reserve;

Sediment control and site drainage;

Hours of construction;

Control of noise, dust and soiling of roadways;

Discharge of polluted waters;

Demolition & excavation;

Storage of construction materials;

Location of site offices, & cranes;

Public safety;

Management of potentially contaminated materials;

Collection and disposal of building and construction waste;

Methodology for responding to complaints associated with the construction works; and

Site manager contact details.

All development must be carried out in accordance with the approved Construction Management Plan to the satisfaction of the responsible authority.

3.0 Requirements for development plan

A development plan must be generally in accordance with the Indicative Framework Plan as shown in Figure 1 to the satisfaction of the responsible authority.

The development plan must be consistent with the following vision for the site:

Vision

- The Amcor site will become a sustainable, predominantly residential community.
- The Amcor site will be redeveloped to provide a predominantly medium to higher density residential development, providing homes for a diversity of households including affordable housing, supported by convenience retailing services and community facilities, with employment opportunities in offices and showrooms along the Heidelberg Road frontage.
- The development will provide a transition in the scale of buildings from Heidelberg Road and Chandler Highway stepping down to the Yarra River in the south and Parkview Road as appropriate.
- The development will demonstrate a high quality architectural response, implement innovative ESD features, provide opportunities for best practice in environmental management, and provide a high standard of internal amenity.
- The development will protect and enhance the Yarra River environs.
- The development will create a cohesive community across south Alphington and south Fairfield.
- The development will retain some links to the site’s industrial past.

The development plan may be prepared in stages.
The development plan must include the following documents, reports, guidelines and plans, prepared to the satisfaction of the responsible authority:

**Planning Report**
A planning report that includes:

- A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing or proposed uses on adjoining land;

- A context analysis identifying the surrounding area, existing or proposed uses on adjoining land, and other neighbourhood features such as public transport, neighbourhood centres, walking and cycling connections;

- Identification of important views to be protected and enhanced, including views of the site and views from the site;

- Details of any known contamination (a certificate or statement of environmental audit for the land covered by the Environmental Audit Overlay will be required to be prepared by a suitably qualified environmental auditor before any construction associated with a sensitive use can commence);

- Demonstrates how the recommendations of the Conservation Management Plan, Housing Diversity Report, Community Infrastructure Report, ESD Strategy, and Site Remediation Strategy have been incorporated into the proposed development of the land; and

- An assessment of any air emissions and odour buffer requirements affecting the site.
Site Master Plan

A site master plan must be provided that includes, but is not limited to:

- The proposed uses of each building and estimated floor area for each use;
- An indication of the approximate residential yield for the site, comprising a range of residential development densities and dwelling types as identified in the Housing Diversity Report and including affordable housing;
- The location of a neighbourhood based community hub consisting of a range community uses including meeting rooms and community spaces and facilities;
- The location of neighbourhood retail facilities to service new and existing residents, and small offices/commercial development to generate employment opportunities;
- An interface with the Yarra River that:
  - Enhances the bushland character of the river corridor;
  - Protects significant stands of remnant and native vegetation present in various locations abutting the site; and
  - Integrates with planting along the Yarra River wetlands;
- The location of open space and recreation facilities to be provided on the site, including areas available to the public; and
- The location of heritage buildings and significant vegetation.

Design Guidelines

Design guidelines and principles for the site (or part of the site) must include, but are not limited to:

- Development concept plans including indicative:
  - Building heights and setbacks;
  - Elevations and cross sections;
  - Building materials, treatments, including reflectivity details, and architectural styles throughout the site;
  - Siting and orientation of buildings having regard to passive energy efficiency techniques and spacing between buildings;
  - Treatments for key interface areas – between open space areas and proposed development, within existing streetscapes, and between residential and non-residential land uses and the proposed development; and
  - Viewlines from the Yarra River (north side from the portion of the path in Willsmere Park opposite the Amcor Site), Chandler Highway, Heidelberg Road and Parkview Road.
- Shadow diagrams internal and external to the site for the equinox between 11.00am and 2.00pm based on the building envelopes or arrangement shown in the proposed Development Plan;
- Indicative waste storage and collection points;
- Interfaces between the site and adjacent sites and streets;
- Any particular and relevant design measures recommended by the Activity Centre Design Guidelines (DSE 2005), the Design Guidelines for Higher Density Residential Development (DSE 2004) and Safer Design Guidelines for Victoria (Crime Prevention Victoria and DSE 2005); and
- Any particular and relevant design measure recommended by the Heritage Plan, ESD Strategy, Transport Management Plan and the Site Remediation Strategy, as appropriate.
The Guidelines must be consistent with the Vision for the site and the following objectives:

- To promote urban legibility and public access to and through the site;
- To ensure new buildings are well spaced and offset to distribute access to outlook and sunlight between built forms and manage overlooking between habitable room windows where possible;
- To provide for diverse built form;
- To demonstrate high quality built form outcomes that contribute to the built form character of the neighbourhood and its surrounds;
- To ensure that building heights consider and respond to the overshadowing effects within the site and on adjoining land;
- To ensure that building heights provide an appropriate transition to site interfaces;
- To incorporate a landmark building element which displays design excellence to mark the Heidelberg Road and Chandler Highway intersection;
- To ensure street level interface treatments contribute to high levels of pedestrian amenity and safety;
- To provide wind climate design to ameliorate adverse wind conditions at street level, public spaces, balconies and adjoining properties;
- To provide acoustic design treatments that addresses the impact of existing and potential noise particularly from road traffic;
- To collectively form a coherent and identifiable precinct;
- To provide for safe and convenient vehicular and pedestrian access;
- To minimise, where practical, the impact of vehicles on public space;
- To ensure that above ground parking is suitably concealed by appropriate building features such as active podium frontages or within buildings that display a high level of architectural resolution;
- To improve the amenity of and accessibility to the Yarra River frontage of the site; and
- To incorporate recognised and proven ESD measures to aid in the reduction of energy and water consumption, the generation of waste and greenhouse emissions.

The following requirements must be reflected in the design guidelines:

- Building heights for new buildings must not exceed the maximum building heights specified in the Building Heights Plan (Figure 2) and the AMCOR Building heights (Table 1);
Figure 2 Building Heights Plan

Table 1 AMCOR Building Heights

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Maximum building height</th>
<th>Preferred building heights</th>
<th>Street wall</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>14 storeys</td>
<td>3 storeys</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>5 storeys</td>
<td>3 storeys</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>6-8 storeys</td>
<td>6 storeys</td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>4 storeys</td>
<td>3 storeys, setback from Parkview Road</td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>3 storeys</td>
<td>2 storey river interface, setback from crest line of the Yarra River</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>4 storeys</td>
<td>2-3 storeys</td>
<td></td>
</tr>
</tbody>
</table>

- Buildings along major roads to be generally of medium height as appropriate, stepping down to a lower height along the Yarra River interface and Parkview Road;
- Development should generally not extend above the tree line when viewed from the path in Willsmere-Chandler Park and the Yarra River;
- Built form and articulation should avoid long and continuous facades;
- Building setbacks along Parkview Road should be a minimum of 3 metres;
- Development in the residential precinct at the southern edge of the site near the Yarra River should be appropriately sited and designed and in particular:
  - Visually dominant buildings must be avoided through the use of discontinuous forms, well articulated facades, and natural or recessive materials;
- Buildings must be set within a landscaped garden setting which allows for visual connections to the river corridor;
- Buildings must be oriented to front the Yarra River to provide visually interesting facades to and passive surveillance of the open space corridor and
- Buildings must be setback 10 metres from the river crest line to provide protection of the tree canopy and reduce the visual impact of the buildings;
- Treatment of the interface with the Yarra River and environs must demonstrate:
  - Maintenance and enhancement of the natural landscape and native vegetation along the river edge; and
  - Continuation of the public linear parkland and walking and cycling linkages along the river corridor.

**Heritage Conservation Management and Interpretation**

A Heritage Assessment Report must assess the cultural heritage of the site and identify any sites, buildings or structures of significance. The plan must include consideration of aboriginal heritage.

A Conservation Management Plan, including a Heritage Interpretation Plan must:
- Identify sites, buildings or structures which have been assessed as significant;
- Assess the extent to which a significant site, building or structure can be incorporated in the site’s redevelopment;
- Identify how the site’s industrial heritage is interpreted in the future development of the site; and
- Provide guidance on the on-going maintenance and management of the heritage places to be retained.

**Landscape Concept Plan**

A Landscape Concept Plan must be prepared for the site that includes:
- An assessment of existing vegetation on the land by a suitably qualified arborist;
- Opportunities to retain mature trees with adequate setbacks to development;
- Appropriate treatment of the interface with the Yarra River;
- Opportunities for revegetation of the river bank and interface with the development;
- Typical street cross-sections;
- An overall landscape master plan for the site that complements the neighbourhood character and is in accordance with the proposed staging plan in the Development Plan;
- The management of landscaped areas, including sustainable irrigation treatments such as water sensitive urban design opportunities; and
- Details of how the Landscape Concept Plan responds to any requirements of the site remediation strategy for the land.
Economic Assessment Report
An Economic Assessment Report must be prepared which identifies viable employment generating uses for the site and assesses the value to the local economy of these proposed uses.

The report must also provide an economic assessment of proposed land uses for the site, and the viability of a neighbourhood activity centre on the site.

Housing Diversity Report
A Housing Diversity Report must be prepared explaining the mix of housing on the site including how it is proposed to provide 5% of the overall housing stock as affordable housing. The report must also include criteria for determining affordable housing stock.

Community Infrastructure Report
A Community Facilities Audit and Analysis must be prepared which identifies the following:

- Existing and planned services in the surrounding area and the impact the development of the site will have on these services.
- The need to provide additional community facilities on site or whether any existing community facilities in the local area should be upgraded or extended;
- The location of any new community facilities on site or in the surrounding area:
- Funding and implementation mechanisms for the provision of appropriate community infrastructure including developer contributions (monetary or building) towards the upgrading or extension of existing community facilities; or provision of new facilities in the surrounding local area; and
- Timing of the provision of any required community facilities coordinated with the overall development of the site.

Ecologically Sustainable Development (ESD) Strategy
An Ecologically Sustainable Design Strategy (ESD Strategy) must be prepared which considers and responds to the major components of the proposed development and construction processes and:

- Demonstrates the incorporation of recognised technologies and best practice;
- Demonstrates how compliance with all relevant statutory obligations in environmental sustainability is achieved;
- Identifies and nominates the level of sustainability performance standards to be adopted;
- Assesses options by which the agreed level of sustainable performance standards will be achieved.

The ESD Strategy must be based upon the following principles:

- Energy conservation with the objective of contributing to industry standards of national and international efforts to reduce energy usage and greenhouse gas emissions;
- Water conservation, ensuring that water resources are managed in a sustainable way;
- Water sensitive urban design and options ensuring the reduction of the impacts of stormwater on bays and catchments;
- Transport planning with the aim of encouraging walking, cycling and use of public transport;
- Land use and transport planning and infrastructure provision to contribute where practical to improved air quality;
- Options to reduce the amount of waste generated and encourage increased reuse and recycling of waste materials;
- Building materials conservation;
- Sustainability options in demolition and construction practices;
- Landscaping considering the provision of habitat, green spaces, and climate control as appropriate; and
- Indoor environmental quality.

The ESD Strategy must have regard to the following:
- Whether it is appropriate for individual plans to be prepared dealing with different aspects of the use and development;
- The need to clearly identify responsibilities for implementation, review, monitoring and maintenance;
- New resident awareness and education to promote the objectives of sustainability.

**Site Remediation Strategy**

Unless a Certificate or Statement of Environmental Audit has been issued, a Site Remediation Strategy must be prepared to the satisfaction of the responsible authority.

The Site Remediation Strategy must address and make recommendations in relation to:
- Potential impacts of any land or ground water contamination (including the potential for vapour intrusion or gas migration) on the proposed land use, the arrangement of land use across the land and any particular design requirement the development may be subject to;
- Heritage issues relevant to the remediation strategy;
- Options and a preferred approach to the testing and remediation of soil and groundwater;
- Proposed pattern of land uses across the site;
- Targeted condition of the site as required and specified by the Auditor to suit the proposed range of land uses or development;
- An indicative site map showing locations across the site of any identified contamination and any proposed clean up work;
- Options for remediation technologies taking into account logistics, technology options currently available and likely effectiveness;
- A schedule of proposed remediation activities;
- Expected pattern/staging and indicative timeframes for signed Certificates or Statements of Environmental Audit across the site following the clean up of the site;
- Indicative site management and monitoring controls that will be necessary following each clean up activity; and
- Identifying the parties responsible for key activities and for subsequent site management and monitoring.

The Site Remediation Strategy may be prepared in stages where the development plan is prepared in stages.

The Site Remediation Strategy will be amended as required to reflect the recommendation or requirement of the Certificate or Statement of Environment Audit.

**Traffic Management Plan**

A Traffic Management Plan (TMP) must be prepared which provides the following details:
- The likely traffic generation by residents, staff and visitors, and for deliveries and service vehicles to the site;
- The likely traffic impacts of the proposed development on the land and the broader road network;
- A road safety audit of the design and proposed traffic management measures and incorporating the recommendations;
- Road layouts, widths and reserves and site access;
- The design of the footpaths, bicycle paths and shared pathways network;
- Traffic management measures and signalisation;
- Public transport routes and stops within the site and surrounds;
- Recommended car parking and bicycle parking rates and the location of on-site car and bicycle parking; and
- Loading bays.

**Integrated Transport Plan**

An Integrated Transport Plan (ITP) must be prepared based on the transport analysis and impact assessment which includes appropriate measures to address the transport, traffic, pedestrian and bicycle access needs of the development, and impacts on the existing road network, in particular:

- An indicative hierarchy of internal local roads proposed for the site that:
  - Complements the form and structure of the surrounding network;
  - Recognises the primacy of pedestrian and bicycle access within the site;
  - Provides a high level of amenity and connectivity, whilst managing the movement of vehicles travelling between Heidelberg Road and Chandler Highway through the site;
  - Allows for appropriate levels of manoeuvrability for emergency and service vehicles; and
  - Are of sufficient width to accommodate wide footpaths, new trees and bicycle lanes;
- The provision of a network of safe and convenient pedestrian and bicycle accessways through the site and connecting with the surrounding area, and encouraging the use of sustainable travel modes to local amenities;
- The location and layout of all car and bicycle parking areas and access to and from them;
- Opportunities for the provision of a car share system;
- Provision for loading and unloading of vehicles and means of access to them, including waste collection and delivery vehicles;
- Green Travel Plan initiatives, including a new resident awareness and education program;
- The means proposed to address the impacts of traffic generated by the development on the surrounding road network including any required upgrades or modifications, including road widening, parking restrictions, traffic and pedestrian signals and public transport improvements; and
- Opportunities for providing improved public transport services and facilities.

**Acoustic Report**

An Acoustic Report is required to be prepared by a suitably qualified person(s) to the satisfaction of the Responsible Authority after seeking and considering the views of the Environment Protection Authority and VicRoads. The report must identify:

- Whether the proposed use and development of the site is likely to be affected by noise from nearby uses or abutting roads;
- The likely effect of non-residential uses on the site on the amenity of nearby residential uses; and
• Methods to address the issues identified.

**Services and Engineering Infrastructure Report**

The Services and Engineering Infrastructure Report must be prepared and include:

• An assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development;

• A description of the proposed provision of all appropriate utility services to development parcels;

• Preparation of a stormwater drainage master plan, including measures to ensure appropriate protection of the Yarra River adjacent to the land; and

• The identification of the location of any on-site drainage retention facilities.

**Development Staging**

A Staging Plan to provide an indication of the likely staging and anticipated timing of the development of the land, specifically:

• The proposed sequencing of development;

• Vehicle access points, road infrastructure works and traffic management for each stage of development; and

• Interface / access treatments.

**Community Engagement Strategy**

A Community Engagement Strategy which establishes the mechanisms by which the community will be provided with information and opportunities for feedback in relation to the prepared development plan.

The development plan shall be available for public inspection for 28 days prior to its consideration by the responsible authority.

**Decision guidelines**

Before deciding on a request to approve or amend a Development Plan, the responsible authority must consider as appropriate:

• any written comments received in response to the display of the development plan;

• any views of Public Transport Victoria;

• any views of VicRoads;

• any views of the Department of Education and Early Childhood Development;

• any views of Parks Victoria;

• any views of Melbourne Water; and

• any views of the Cities of Banyule, Boroondara and Darebin; that are received by the responsible authority.
SCHEDULE 14 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO14.

112-124 & 126-142 TRENNERY CRESCENT, ABBOTSFORD

1.0 Requirement before a permit is granted

A permit may be granted for use or to subdivide land or to construct a building or to construct or carry out works that is not in accordance with the development plan, for the following:

- The use of an existing building.
- Minor buildings and works to existing buildings.
- Subdivision of land, provided that the subdivision is the result of a consolidation of all or parts of the site or the re-subdivision of the land and the number of lots is not increased.
- Removal or creation of easements or restrictions.
- Buildings or works associated with the remediation of the land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the Environment Protection Act 1970.

Before any planning permit is granted the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and will contribute to the vision of the site.

2.0 Conditions and requirements for permits

The following conditions and requirements apply to permits:

- Except for a permit issued as provided for under Clause 1.0, a permit must contain conditions or requirements which give effect to the provisions and requirements of the approved Development Plan.

- In addition to any requirements in other provisions of the scheme, particularly Schedule 1 to the Design and Development Overlay – Yarra (Birrarung) River Corridor Protection, an application must be accompanied by the following information (as appropriate):
  - The proposed uses of each building and estimated floor area for each use.
  - The number of proposed dwellings, where relevant, including the mix of residential development densities and dwelling types.
  - A design response that describes how the development responds to the vision for the site and the design guidelines in the approved development plan.
  - A visual impact assessment that provides the following:
    - A 3D model of the development and its surrounds in conformity with the Department of Environment, Land, Water and Planning Infrastructure Technical Advisory Note – 3D Digital Modelling. Where substantial modifications are made to the proposed building envelope, a revised 3D digital model must be submitted to the Responsible Authority.
    - Site line analysis and 3D modelling of the proposed development from key view points (such as the Yarra River corridor and Dights Falls) in the public realm to enable an assessment of the visual impact of the development on the heritage values of the former Austral Silk and Cotton Mills building and substation at 112-124 Trenerry Crescent.
    - Perspectives showing the visual prominence of the development from public vantage points along the Yarra River corridor (including Capital City Trail, Dights Falls and Yarra Bend Park), to the specifications of the responsible authority.
- A Heritage Impact Statement prepared by a suitably qualified heritage consultant, which outlines how the proposed development has regard to heritage values of the former Austral Silk and Cotton Mills building and substation at 112-124 Trenerry Crescent, along with relevant citations and studies.

- A car parking and traffic impact assessment that considers:
  
  - the safe entry and exit of vehicles and how these minimise conflicts with any existing pedestrian and cycle links;
  
  - the means proposed to promote reduced car use and promote sustainable travel including opportunities for the provision of a car share system and Green Travel Plan initiatives that promote sustainable transport options including the provision of on-site bicycle storage and end-of-trip facilities;
  
  - the provision of car parking, circulation and layout of car parking, and the recommended bicycle parking provision rates;
  
  - the impact of any additional traffic on the surrounding road network, and how any necessary mitigation measures should be addressed.

- A Landscape Plan that includes:

  - proposed landscape treatments with the Yarra River Corridor and how this enhances the bushland character of the river corridor and protects and integrates with existing vegetation and planting.

- An acoustic report (with a particular focus on the interface with the freeway) prepared by a suitably qualified acoustic engineer assessing, as appropriate, how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1, the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2, sleep disturbance criteria and relevant Australian Standards will be met and must prescribe the form of acoustic treatment taking into consideration the agent of change principle.

**Requirements for development plan**

A Development Plan must include the following requirements:

The Development Plan must be consistent with the following Vision for the site, and be generally in accordance with the *Indicative Framework Plan* as shown in Figure 1 to the satisfaction of the responsible authority. In addition the Development Plan must be consistent with any requirements in other provisions of the scheme, particularly Schedule 1 to the Design and Development Overlay – Yarra (Birrarung) River Corridor Protection.

The development plan may be prepared in stages if the responsible authority is satisfied this will not prejudice the preparation of the development plan.

The Development Plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

**Vision**

The development will:

- support employment generating land uses whilst permitting residential uses and encouraging mixed use activities reflective of the character of the area;

- provide a high quality architectural design, built form and landscaping response which acknowledges the site's prominent location adjoining the Yarra River and the Eastern Freeway, and minimise the visual impact of new buildings when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings;
- utilise materials that are respectful of the natural characteristics of the river corridor and respond to the former industrial character of Trenerry Crescent;

- sensitively adapt and reuse the former Austral Silk and Cotton Mills warehouse and factory complex and substation at 114-124 Trenerry Crescent to maintain its heritage value and robust industrial character;

- not dominate views to the former Austral Silk and Cotton Mills complex from the Yarra River corridor;

- maintain key views to Yarra River corridor and to the northern and western façades of the former Austral Silk and Cotton Mills complex when viewed from Trenerry Crescent;

- provide appropriate opportunities for the improvement of the safety of pedestrian and cyclist movements at the north western corner of the site.

**Components**

The Development Plan must include the following to the satisfaction of the responsible authority:

**Existing Conditions Analysis**

- A site context analysis that identifies the key attributes of the land, including:
  - topography;
  - existing vegetation;
  - location of existing buildings and significant trees and vegetation;
  - existing or proposed uses and buildings on adjoining land;
  - the contextual relationship of the site and proposed built form to the Yarra River Corridor, the Eastern Freeway and surrounding road network walking and cycling connections, and public transport;
  - key view-lines to the site from the Yarra River corridor (including Capital City Trail, Dights Falls and Yarra Bend Park) and the Eastern Freeway;
  - views through the site from Trenerry Crescent to the Yarra River Corridor; and
  - key views to the former Austral Silk and Cotton Mills warehouse and factory complex and substation at 112-124 Trenerry Crescent from Trenerry Crescent.

- An arboricultural assessment of any significant vegetation on the land, including advice on the long term health and retention value of such vegetation.

**Plans and Reports**

- A site plan(s) which shows:
  - the existing heritage building with any extensions and alterations;
  - the indicative siting and orientation of other proposed building(s) on the site and the relationship to buildings on adjoining land;
  - the indicative location of car and bicycle parking areas;
  - the vehicle and pedestrian access locations;
  - the location of any areas of public open space; and
  - the anticipated uses of each building.

- Plans showing:
- Indicative building envelopes and massing diagrams for new buildings including street wall heights, maximum building heights, the separation distances between buildings, the setback from the street frontage, and how the development addresses the street.

- The principles for the proposed built form interface to the Yarra River Corridor (eastern interface), Trenerry Crescent (western interface), the Eastern Freeway (northern interface) and the interface with existing pedestrian/cycle links (including Capital City Trail).

- Shadow diagrams of the proposed building envelopes shown in the proposed Development Plan between 11:00am and 2:00pm on 22 June.

- A Landscape Plan that includes:
  - the location of landscaped areas on all interfaces as appropriate, including the Yarra River Corridor;
  - guidelines for landscape and fencing treatments with the Yarra River Corridor and how this enhances the bushland character of the river corridor and protects and integrates with existing vegetation and planting; and
  - details on the management of landscaped areas, including sustainable irrigation treatments such as water sensitive urban design opportunities.

  Proposed staging plan (if relevant).

  A Heritage Impact Assessment prepared for the former Austral Silk and Cotton Mills building and substation at 112-124 Trenerry Crescent by a suitably qualified heritage consultant, that:
  - articulates the significance of the heritage place, its component parts, and its setting (including in relation to the Yarra River corridor);
  - describes the relationship between the heritage place and any neighbouring or adjacent heritage place/s; and
  - establishes principles for managing the significance of the heritage place and its relationship with its surroundings.

  A Traffic Management Report identifying:
  - the safe entry and exit of vehicles and how these minimise conflicts with any existing pedestrian and cycle links;
  - the means proposed to promote reduced car use and promote sustainable travel including opportunities for the provision of a car share system and Green Travel Plan initiatives;
  - the recommended car parking and bicycle parking provision rates; and
  - other mitigation measures identified through a car parking and traffic impact assessment.

**Design Guidelines**

- Design guidelines for the entire site, including but not limited to:
  - The treatments of key interface areas that reflect the principles for each interface and respond to key views.
  - Building materials, treatments, including reflectivity details and architectural styles through the site.
  - The treatments for communal open space.
  - The response of the development to the heritage values of the former Austral Silk and Cotton Mills building and substation at 112-124 Trenerry Crescent as identified in a heritage impact assessment prepared for the place.
- The treatment of building services, including roof top services/elements, which should be screened from the public realm.

**Figure 1 Indicative Framework Plan**

![Indicative Framework Plan](image-url)
SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO16.

111 QUEENS PARADE AND 433 SMITH STREET, FITZROY NORTH (FORMER FITZROY GASWORKS)

This schedule applies to the former Fitzroy Gasworks site at 111 Queens Parade and 433 Smith Street, Fitzroy North bound by Smith Street, Queens Parade, George Street and Alexandra Parade.

1.0 Requirements before a permit is granted

A permit may be granted before a development plan has been approved for the following:

- Any buildings and works associated with the remediation of the land in accordance with or for the purpose of obtaining a certificate or Statement of Environmental Audit under the Environmental Protection Act 1970.
- Minor buildings or works.
- Consolidation of land or Subdivision.
- Removal or creation of easements or restrictions.

Before granting a permit, the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and in accordance with the objectives for the site contained in this schedule.

The development plan must be prepared for the entire site as indicated on the indicative concept plan. The land may be developed in stages.

2.0 Conditions and requirements for permits

The following conditions and requirements apply to permits.

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0, a permit must contain conditions that give effect to the provisions and requirements of the approved development plan.

Except for a permit granted before a development plan has been approved, a permit must contain the following condition:

- A construction management plan must be submitted to and approved which:
  - Details the measures to be implemented to minimise adverse impacts during construction on environmental values, including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on site.
  - Details the measures to be implemented to minimise the generation of sediment on the site, the transport of sediment onto public roads and into drains and waterways and the generation of dust.
  - Shows the designation of tree protection zones for any canopy trees to be retained on the land.
  - Shows the location of site offices, site access and off-street vehicle parking for construction vehicles and employees, and traffic management.
  - Details the methods to be used for the collection and disposal of construction waste and the storage of construction materials.
  - Details the hours of construction on the site.
  - Details staging of construction.
  - Details the management of public access and linkages around the site during construction.
- Includes any works within the Smith Street, Queens Parade, George Street and Alexandra Parade road reserve.
- Any measures required by an environmental auditor with respect to the site.
- Describes the methodology for responding to complaints associated with the construction works.
- Includes the site manager contact details.

- All works conducted on the land must be in accordance with the approved construction management plan to the satisfaction of the responsible authority.

### Requirements for development plan

A development plan must be prepared, generally in accordance with Table 1 and Figure 1, to the satisfaction of the responsible authority.

#### Development plan components

A development plan must include the following requirements and demonstrate how it responds to the following for the land:

- Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space.
- Respond to the significance of Queens Parade and Alexandra Parade with built form that considers the design, height and visual bulk of the development in relation to surrounding land uses and developments and contributes to their significance as formal boulevards.
- Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street.
- Create useable, safe and accessible public spaces to meet local needs and improve resident amenity and usability.
- Create pedestrian and bicycle access into and through the precinct to support its development and integrate activity in the area with surrounding neighbourhoods.
- Provide a range of dwelling types to cater for a variety of housing needs including the provision of up to 20% of dwellings as affordable housing (as defined at section 3AA of the Planning and Environment Act 1987).
- Provide community infrastructure to service the needs of the local area ensuring they compliment the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility.
- Incorporate sustainable design features to address water management, solar access and innovative energy saving initiatives.

#### Site design and land use

- Develop a coherent and identifiable precinct.
- Design to address and activate the public realm, without privatising its amenity.
- A minimum of 8% of the site to be provided as public open space.
- Position the school to front Queens Parade and centre the sports courts on the site as a key community node with ease of access to public transport.
- Support retail, office and other uses at street level.
- Promote urban legibility and high quality public access to and through the site including clear site lines and a choice of routes.
- Minimise over shadowing effects within the site and on adjoining land.
- Design public open spaces to have good solar amenity, good passive surveillance.
- Avoid buildings that disproportionately overwhelmed public spaces.
- Provide landscaping to reduce the visual impact of development, improve liveability and mitigate impacts of the urban heat island effect.
- Provision of street trees, high quality lighting and other streetscape enhancements.
- Retain the visual prominence of at least the top third of the individually significant Shot Tower from primary views when viewed from or through the site.

**Built form**

- Provide a transition in buildings by reducing heights and increasing setbacks along sensitive interfaces with increased heights at the centre of the site in accordance with Table 1 and Figure 1.
- Create high quality architectural frontages with a sense of articulation, streetscape scale and rhythm.
- Articulate buildings to provide variety, visual breaks and promote a human scale to existing and new streets.
- Activate street frontages with windows at upper levels, building entries from main lobbies and ground floor apartments to contribute to street life and safety through passive surveillance.
- Avoid visually dominant buildings through use of discontinuous forms, well articulated facades and high quality materials that weather well and are environmentally sustainable.
- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views and provide maximum sunlight to these spaces.
- Provide wind climate design to ameliorate wind conditions at street level, public spaces, balconies and adjoining properties.
- Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from road traffic and trams.
- Avoid buildings taller than six storeys creating a ‘canyon’ effect to streets by distributing height and providing breaks in built form.
- Provide internal courtyards, supported by communal roof terraces and balconies facing out to the street in mixed use developments.
- Design all development parcels shown on Figure 1 as perimeter blocks. Perimeter blocks should be defined by groups of buildings, with a range of building heights, to create a fine grain and articulated streetscape.
- Avoid podium and tower typologies.

**Movement**

- Design effective traffic management and car parking to service the whole site. Innovative approaches to car parking provision will be considered.
- Provide for safe and convenient pedestrian, cyclist and vehicular access.
- Minimise vehicle entries to reduce impact on footpaths.
- Provide a new tram stop on Smith Street which is compliant with the requirements of the *Disability Discrimination Act 1992 (DDA)*.
- Provide two bicycle spaces per dwelling.
- Design vehicle access and egress to and from the site to avoid tram delays along Smith Street.
Required documents, plans and reports

Prior to the preparation of a development plan the following must be prepared to the satisfaction of the responsible authority:

- **A community engagement strategy** which:
  - Establishes the mechanisms by which the residents and the community will be provided with information and opportunities for feedback during the preparation of the development plan.
  - Includes a requirement that the development plan be made available for public inspection prior to its consideration by the responsible authority.

- **A Site analysis and design response** which shows how the development responds to the development plans requirements that includes:
  - A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing and proposed uses on adjoining land.
  - A context analysis identifying neighbourhood features such as public transport, neighbourhood centres, walking and cycling connections.
  - Site plans which show:
    - The location of heritage buildings
    - The location of significant vegetation.
    - The siting and orientation of proposed buildings and the relationship to buildings on land adjacent to the site.
    - Treatments for key interface areas within the site and between the site and adjoining development, including interfaces to public realm and open space areas, interfaces to all existing and proposed streets and between different land uses.
    - The proposed uses of each building and estimated floor area for each use.
    - The location of open space and recreation facilities to be provided on the site broken down to show areas available to the public and private areas.
    - Key access points including proposed vehicle and pedestrian crossovers.
    - Movement networks vehicles, bicycles and pedestrians and their linkages to the adjacent movement networks.
    - The proposed internal street network and layout.
    - Indicative building entry and servicing points.
    - Building heights and setbacks that are generally in accordance with the Table 1 and Figure 1.
    - Elevations and cross sections for all buildings.
    - Siting and orientation of buildings having regard to passive energy and spacing between buildings.
    - Shadow diagrams for the equinox and winter solstice between 11am and 2am based on the building envelopes.

- **A planning report** that includes:
  - The site’s urban context, including its physical surrounds, social and economic environment, a strategic view of the area in which it is located and its role over time.
  - An assessment of adverse amenity impacts of and to nearby land uses and how these are to be managed.
- An assessment of the development plan response to the state and local planning provisions within the Yarra Planning Scheme.

  ● A **heritage assessment** to assess the cultural heritage of the site and identify sites, buildings or structures of significance, which includes:
    - Identify sites, buildings or structures which have been assessed as significant.
    - Assess the extent to which a significant site, building or structure can be incorporated in the sites redevelopment.
    - Identify how the site heritage is to be interpreted in the future development of the site.
    - Provide guidance on the ongoing maintenance and management of the heritage places to be retained.

  ● A **landscape and public realm** concept plan which includes the following:
    - An overall landscape master plan for the site and adjacent areas, including a street tree master plan for the site.
    - An indicative plant and materials schedule.
    - A written description of the management of landscaped areas including sustainable irrigation treatments.
    - Principles for how future development will contribute to improving the public realm and promoting inviting, pedestrian public spaces.
    - Proposed use, management and ownership for public and private open spaces.
    - Details of how the plan responds to the requirements of any site remediation of the land.

  ● A **integrated transport plan**, prepared in consultation with Transport for Victoria, VicRoads and Yarra City Council which includes.
    - The likely traffic generation of the proposed uses and development including results from traffic modelling showing the likely traffic impacts on surrounding sites, the broader road network and public transport services.
    - Any works necessary to mitigate unacceptable impacts on the road network and unacceptable delays to public transport services caused by traffic generated by the proposed development, including the implementation and indicative timing of such works.
    - Details of a DDA compliant tram stop on Smith Street, at the full cost of the permit holder.
    - The indicative location of on-site car and bicycle parking for the land uses shown on the development plan.
    - Movement networks within the development plan area for vehicles, bicycles and pedestrians.
    - The indicative internal street network including the layout and proposed reservation widths.
    - Existing and proposed public transport routes and stops in the vicinity of the development plan area.
    - The location of bicycle and pedestrian paths in the vicinity of and connections to the development plan area.
    - Points of access to the site from adjoining roads, including any treatments necessary to enable access to the site.
    - Loading bays.
    - Techniques proposed to promote reduced car use and sustainable travel including investigation of a car share system and green travel plan initiatives.
Details of infrastructure to safety connect the users of the site to public transport, cycle routes, neighbouring residential streets and activity centres.

- **An environmentally sustainable design strategy** which identifies sustainability performance standards, based on the following principles:
  - Energy conservation to contribute to local, national and international efforts to reduce energy usage and green-house gas emissions.
  - Water conservation, ensuring that water resources are managed in a sustainable way.
  - Water sensitive urban design and reducing the impacts of stormwater on catchments consistent with general principles as detailed in Urban Stormwater Best Practice Environmental Management Guidelines (Melbourne Water).
  - Reduction of the amount of waste generated and encouragement of increased reuse and recycling of waste materials.
  - Sustainability options in demolition and construction practices.
  - Landscaping considering the provisions of habitat, green spaces and climate control as appropriate.

- **A community needs assessment** which identifies:
  - Existing and planned services in the surrounding area and the impact the development will have on these services.
  - The need to provide additional community facilities on site or whether any existing community facility in the local areas should be upgraded or extended.
  - Funding and implementation mechanisms for the provision of required community infrastructure.
  - The location of any new community facilities on site or in the surrounding area.

- **A services and infrastructure plan** to identify:
  - Existing and proposed infrastructure requirements and easements (water, sewerage, gas, electricity, telecommunications, drainage, storm water overland flow points and water sensitive urban design) to service the proposed development plan area.
  - Any services that will require relocation.
  - The potential to place above-ground services underground.

- **A stormwater and flooding management strategy** prepared in consultation with Melbourne Water which includes:
  - 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 the proposed buildings to Australian Height Datum.
  - Indicative 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.

- **A dwelling diversity and affordable housing report** which includes:
  - A demographic analysis of the types of people and households anticipated to live within the development.
- How the development will support the existing and future population of the area.
- Proposed dwelling typologies for the development.
- How the development proposes to provide affordable housing and family friendly housing.

Table 1: Building heights and street wall setbacks

<table>
<thead>
<tr>
<th>Street</th>
<th>Distance from boundary</th>
<th>Maximum height within setback*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Queens Parade</td>
<td>0 – 8 metres</td>
<td>20 metres (6 storeys)</td>
</tr>
<tr>
<td></td>
<td>Greater than 8 metres</td>
<td>33 metres (10 storeys)</td>
</tr>
<tr>
<td>Smith Street between Queens Parade</td>
<td>0 – 8 metres</td>
<td>17 metres (5 storeys)</td>
</tr>
<tr>
<td>and Council Street</td>
<td>Greater than 8 metres</td>
<td>33 metres (10 storeys)</td>
</tr>
<tr>
<td>Smith Street between Council Street</td>
<td>0 – 11.5 metres</td>
<td>17 metres (5 storeys)</td>
</tr>
<tr>
<td>and Alexandra Parade</td>
<td>Greater than 11.5 metres</td>
<td>33 metres (10 storeys)</td>
</tr>
<tr>
<td>Alexandra Parade</td>
<td>0 – 22 metres</td>
<td>33 metres (10 storeys)</td>
</tr>
<tr>
<td></td>
<td>Greater than 22 metres</td>
<td>33 metres (10 storeys)</td>
</tr>
<tr>
<td>George Street</td>
<td>0 – 12.5 metres</td>
<td>20 metres (6 storeys)</td>
</tr>
<tr>
<td></td>
<td>Greater than 12.5 metres</td>
<td>33 metres (10 storeys)</td>
</tr>
</tbody>
</table>

*Height in metres is the primary measure of height. Storey measure provides a guideline.
LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Land subject to inundation objectives and statement of risk

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside thisoverlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO

1.0

Permit requirement

The requirement for a permit to construct a building or to construct or carry out works does not apply to buildings or works pursuant to Schedule 4 to the Special Use Zone which are generally in accordance with the approved Abbotsford Convent Master Plan.
**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).

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**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.

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- The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.

- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an upper storey extension to an existing building.

- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.

- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.

- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.

- To a replacement fence in the same location and of the same type and materials as the existing fence.

- To a pergola or an open deck area with unenclosed foundations.

- To a carport constructed over an existing carspace.

- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.

- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.

- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.

- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.

- To radio masts, light poles or signs on posts or attached to buildings.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works.</td>
<td>Clause 59.08</td>
</tr>
</tbody>
</table>

**Subdivision**

A permit is required to subdivide land.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
</table>

Any of the following classes of subdivision:

- 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.

- 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 is approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - 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.

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 CLAUSE 44.05 SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO**

1.0

**Permit requirement**

None Specified

2.0

**Referral of applications**

An application must be referred to Melbourne Water in accordance with Section 55 of the Act
OTHER OVERLAYS
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

### Public acquisition

<table>
<thead>
<tr>
<th>PS Map</th>
<th>Acquiring Authority</th>
<th>Purpose of Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>VicRoads</td>
<td>Road widenings</td>
</tr>
<tr>
<td>PAO2</td>
<td>The Minister responsible for administering Part 2 of the Crown Land (Reserves) Act 1978.</td>
<td>Creation of a continuous linear park / trail system adjacent waterways</td>
</tr>
<tr>
<td>PAO3</td>
<td>Yarra City Council</td>
<td>Creation of a new library and community hub</td>
</tr>
<tr>
<td>PAO4</td>
<td>Roads Corporation</td>
<td>Chandler Highway Upgrade</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.
CITY LINK PROJECT OVERLAY

Shown on the planning scheme map as CLPO.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the efficient construction, operation and maintenance of the Melbourne City Link Project, the Exhibition Street Extension Project and CityLink Tulla Widening Project.

To ensure that the display of a Business identification sign on land no longer required for the Melbourne City Link Project or the Exhibition Street Extension Project is limited to a level that does not compete with the display of signs shown on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

---

**Use and development**

A permit is not required to use or develop land in the:

- City Link Project area if the use or development is part of the Melbourne City Link Project or the Exhibition Street Extension Project.

- CityLink Tulla Widening Project Area if the use or development is part of, or associated with, the CityLink Tulla Widening Project.

---

**Outdoor advertising signs - permit not required**

A permit is not required to display an outdoor advertising sign if the sign is in a location or area identified on the plan titled "Melbourne City Link Project - Advertising Locations November 2003".

Except in locations shown on the plan where signs are prohibited, additional outdoor advertising signs may be displayed without a permit for a period not exceeding four years from the date of approval (or other such period approved by the Minister) provided that a plan of the sign showing its location and dimensions is approved by the Minister.

In deciding whether or not to approve a plan the Minister must consider:

- The visual impact of the sign on the road and the surrounding area.

- The effect of the sign on the safe and efficient operation of the road.

- Any government policy or agreement relating to the Melbourne City Link Project.

---

**Business identification signs - permit required**

In locations shown as “prohibited area for advertising signs” on the plan titled “Melbourne City Link Project - Advertising Sign Locations November 2003”, a permit may be granted to display a Business identification sign provided:

- The land is no longer under the control of the Melbourne City Link Project or the Exhibition Street Extension Project.

- The sign is not prohibited by the advertising requirements of the zone and Clause 52.05 - Advertising Signs.

Written advice from the relevant Government agency that the land is no longer part of the Melbourne City Link Project or the Exhibition Street Extension Project is sufficient evidence of the status of the land pursuant to this clause.

In deciding whether or not to grant a permit for a Business identification sign the responsible authority must consider in addition to the decision guidelines under Clause 52.05:
Whether the Business identification sign detracts from the visual prominence of signs identified on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

**Control building**

A permit is not required to use and develop the Link Control Site under the *Melbourne City Link Act* 1995, for buildings housing link control rooms and ancillary activities, provided the building does not exceed 3 storeys in height and is generally in accordance with plans, Ref Nos: A-SBI-AR-404 A, SK-SBI-4087 A to SK-SBI-4090 A (inclusive), SBI-AR-4001 Revision C, SBI-AR-4002 Revision C, SBI-AR-4030 Revision B, SBI-LS-4102 Revision C, and SBI-CI-4701 Revision A.

A permit is required to use and develop the Link Control Site under the *Melbourne City Link Act* 1995 if the building to house the link control rooms and ancillary activities for the City Link Project exceeds 3 storeys in height or is not generally in accordance with the plans.

**Other scheme requirements**

No other requirement of the scheme applies to a use or development of land in the:

- City Link Project area if the use or development is for the purpose of the Melbourne City Link Project or the Exhibition Street Extension Project.
- CityLink Tulla Widening Project Area if the use or development is for the purpose of part of, or associated with, the CityLink Tulla Widening Project.

This provision prevails over any inconsistent provision in this scheme.

**Referral of applications**

An application must be referred under Section 55 of the Act to the Roads Corporation.

**Definitions**

In this clause:

*Melbourne City Link Project* has the same meaning as in the *Melbourne City Link Act 1995*.

*Exhibition Street Extension Project* has the same meaning as in the *Melbourne City Link Act 1995*.

*CityLink Tulla Widening Project* means use and development for and associated with widening and upgrading the Tullamarine Freeway, Melbourne City Link Project and West Gate Freeway corridor within the CityLink Tulla Widening Project Area.

*CityLink Tulla Widening Project Area* is the area of land affected by this overlay between:

- The northern extremity of the overlay near the Tulla Calder Interchange; and
- The western portals of the Burnley and Domain tunnels.
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 CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as PO1.

COLLINGWOOD ARTS PRECINCT

1.0

Parking objectives to be achieved

- To encourage the re-use of buildings within the Collingwood Arts Precinct for arts and creative industries as identified in Schedule 6 to the Special Use Zone.
- To acknowledge the existing built form and context of the site and the constrained ability to provide on-site car parking.
- To recognise the site’s proximity to the Principal Public Transport Network and to reduce car parking demand by encouraging use of sustainable and active transport modes to and from the site.
- To improve amenity for pedestrians around and through the site by minimising vehicle access to and through the site.

2.0

Permit requirement

A permit is not required under Clause 52.06-3 to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 for any use listed in Section 1 of the Table of Uses in Schedule 6 to the Special Use Zone.

3.0

Number of car parking spaces required

For the purpose of Clause 52.06-5A, the car parking requirement:

- For a use that is listed in Section 1 of the Table of Uses in Schedule 6 to the Special Use Zone is zero.
- For a use that is not listed in Section 1 of the Table of Uses in Schedule 6 to the Special Use Zone but is listed in Table 21 of Clause 52.06-5 is the car parking rate in Column B of the table.

Any other uses not within the above categories must be provided with the car parking to the satisfaction of the responsible authority.

4.0

Application requirements and decision guidelines for permit applications

None specified.

5.0

Financial contribution requirement

None specified.

6.0

Requirements for a car parking plan

None specified.

7.0

Design standards for car parking

None specified.

8.0

Decision guidelines for car parking plans

None specified.
Reference document

Collingwood Arts Precinct - Traffic Engineering Report, GTA Consultants (December 2016).
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.
1.0 SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

Specific controls

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Name of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCO1</td>
<td>351-353 Church Street, Richmond – Incorporated Document, February 2019</td>
</tr>
</tbody>
</table>
PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.
SPECIFIC SITES AND EXCLUSIONS

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.
To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

Use or development

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

Expiry of a specific control

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
# SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

## Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land in the Heritage Overlay (excluding sites on the Victorian Heritage Register)</td>
<td>Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
</tr>
<tr>
<td>Lot 2 on PS433628L (452 Johnston Street, Abbotsford)</td>
<td>Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford)</td>
</tr>
<tr>
<td>Part of Crown Allotment 113E Parish of Jikka Jikka and part of Crown Allotment 59L Parish of Boroondara, Yarra Bend Park, Fairfield</td>
<td>Flying Fox Campsite, Yarra Bend Park, December 2004</td>
</tr>
<tr>
<td>Land as shown on the ‘Extent of Proposed Site’ on the ‘Civil Siteworks Site Locality Plan’ reference 104140/C/45 issue P5 prepared by Grogan Richards Consulting Engineers dated 1 April 2005 in the incorporated document Swan Street Works, Burnley, June 2005, which is generally north of 572-576 Swan Street, Burnley (Botanicca Corporate Park) and extending approximately 250 metres west and 150 metres east of Central Drive and in part extending to the northern kerb of Yarra Boulevard</td>
<td>Swan Street Works, Burnley, June 2005</td>
</tr>
<tr>
<td>Land between Yarraville and Doveton adjacent to and encompassing the West Gate Freeway, the City Link Southern Link and Western Link south of the Bolte Bridge, the Monash Freeway and the South Gippsland Freeway, insofar as the land is in the City of Yarra</td>
<td>M1 Redevelopment Project, October 2006</td>
</tr>
<tr>
<td>Land described in the ’520 Victoria Street, 2A Burnley Street and 2-30 Burnley Street, Richmond, Burnley Street West Precinct 2011 – locality Map’ being 520 Victoria Street, 2A Burnley Street and 2-30 Burnley Street, Richmond</td>
<td>520 Victoria Street, 2A Burnley Street and 2-30 Burnley Street, Richmond, Burnley Street West Precinct, Incorporated Plan, 2012</td>
</tr>
<tr>
<td>Land described in the incorporated document titled “Social Housing redevelopment: Atherton Gardens Estate, Fitzroy and Richmond Public Housing Estate, Richmond, for which the Minister for Planning is the responsible authority”</td>
<td>Atherton Gardens – Fitzroy, September 2010</td>
</tr>
<tr>
<td>Land described in the incorporated document titled “Social Housing redevelopment: Atherton Gardens Estate, Fitzroy and Richmond Public Housing Estate, Richmond, for which the Minister for Planning is the responsible authority”</td>
<td>Richmond Walk Up Estate Redevelopment, September 2010</td>
</tr>
<tr>
<td>Address of land</td>
<td>Title of incorporated document</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>626 Heidelberg Road, Alphington, being the area bounded by Heidelberg Road, Parkview Road (including No 28 Parkview Road), Chandler Highway and the Yarra River</td>
<td>Amcor Alphington Paper Mill Site Preparation – Incorporated Document, September 2012</td>
</tr>
<tr>
<td>10 Bromham Place, Richmond described in Certificate of Title Volume 09980 Folio 392 on Plan of Consolidation 350651R</td>
<td>10 Bromham Place, Richmond Incorporated Document, February 2013</td>
</tr>
<tr>
<td>The Caulfield Dandenong Rail Upgrade Project land as shown on the maps in the incorporated document.</td>
<td>Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016</td>
</tr>
<tr>
<td>The Chandler Highway Upgrade land as shown on the project area map and identified in the Incorporated Document.</td>
<td>Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)</td>
</tr>
<tr>
<td>Land identified on the project area map in the Fitzroy Former Gasworks Site Incorporated Document, Feburary 2018</td>
<td>Fitzroy Former Gasworks Site Incorporated Document, February 2018</td>
</tr>
<tr>
<td>5 - 15 Mayfield Street, Abbotsford described in Certificate of Title Volume 10544 Folio 931 on Plan of Subdivision 439401J</td>
<td>5 - 15 Mayfield Street, Abbotsford, Incorporated Document, October, 2018</td>
</tr>
</tbody>
</table>
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose

To enable the removal and variation of an easement or restriction to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
## SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

### Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</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>None specified</td>
<td>None specified</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>None specified</td>
<td>None specified</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>Clause 59.09 The sign is not within 30 metres of land (not a road) which is in a residential zone.</td>
</tr>
</tbody>
</table>
Class of application

- The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.
- The display area of the sign does not exceed 10 square metres.

Referral of applications

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004 must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

Expiry of permits

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

Existing signs

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:
- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:
- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

Application requirements

An application must be accompanied by the following information, as appropriate:

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
Sign details
- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more
- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Road Zone or a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

Exemption from notice and review
An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:
- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs
- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

**Impacts on views and vistas:**
- The potential to obscure or compromise important views from the public realm.
- The potential to dominate the skyline.
- The potential to impact on the quality of significant public views.
- The potential to impede views to existing signs.

**The relationship to the streetscape, setting or landscape:**
- The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
- The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
- The ability to screen unsightly built or other elements.
- The ability to reduce the number of signs by rationalising or simplifying signs.
- The ability to include landscaping to reduce the visual impact of parts of the sign structure.

**The relationship to the site and building:**
- The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
- The extent to which the sign displays innovation relative to the host site and host building.
- The extent to which the sign requires the removal of vegetation or includes new landscaping.

**The impact of structures associated with the sign:**
- The extent to which associated structures integrate with the sign.
- The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.

**The impact of any illumination:**
- The impact of glare and illumination on the safety of pedestrians and vehicles.
- The impact of illumination on the amenity of nearby residents and the amenity of the area.
- The potential to control illumination temporally or in terms of intensity.

**The impact of any logo box associated with the sign:**
- The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
- The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

**The need for identification and the opportunities for adequate identification on the site or locality.**

**The impact on road safety. A sign is a safety hazard if the sign:**
- Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.
- Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
**Mandatory conditions**

**All signs**

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

**Major promotion signs**

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

**Signs not requiring a permit**

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

A sign inside a building that cannot generally be seen outside.

A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:
- The display area to exceed 10 square metres if the sign concerns more than 20 lots.
- The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
- The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

**Category 1 - Commercial areas**

Minimum limitation

**Purpose**

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
</tbody>
</table>
### Sign

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah,</td>
</tr>
<tr>
<td></td>
<td>more than 3.7 m above pavement level.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian or</td>
</tr>
<tr>
<td></td>
<td>traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

---

**Category 2 - Office and industrial**

Low limitation

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. 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>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td>The display area must not exceed 3 sqm.</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

### Notice, decision and review exemptions for major promotion 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></td>
<td></td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Display home centre</td>
<td>5</td>
<td>2</td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td>Dwelling</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every 5 dwellings for developments of 5 or more dwellings</td>
</tr>
<tr>
<td>Education centre other than listed in this table</td>
<td>0.4</td>
<td>0.3</td>
<td>To each student that is part of the maximum number of students on the site at any time</td>
</tr>
<tr>
<td>Food and drink premises other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Freezing and cool storage,</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></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></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td>3</td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3</td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Milk depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>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></td>
<td>3</td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>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></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

**Number of car parking spaces required for other uses**

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

**Application requirements and decision guidelines for permit applications**

**For applications to reduce the car parking requirement**

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
The short-stay and long-stay car parking demand likely to be generated by the proposed use.

The availability of public transport in the locality of the land.

The convenience of pedestrian and cyclist access to the land.

The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.

The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.

Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

The Car Parking Demand Assessment.

Any relevant local planning policy or incorporated plan.

The availability of alternative car parking in the locality of the land, including:
- Efficiencies gained from the consolidation of shared car parking spaces.
- Public car parks intended to serve the land.
- On street parking in non residential zones.
- Streets in residential zones specifically managed for non-residential parking.

On street parking in residential zones in the locality of the land that is intended to be for residential use.

The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.

Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.

The future growth and development of any nearby activity centre.

Any car parking deficiency associated with the existing use of the land.

Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.

Local traffic management in the locality of the land.

The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.

The need to create safe, functional and attractive parking areas.

Access to or provision of alternative transport modes to and from the land.

The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.

The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.

Any other matter specified in a schedule to the Parking Overlay.

Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

**Design standards for car parking**

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

**Design standard 1 – Accessways**

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

**Design standard 2 – Car parking spaces**

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

**Table 2: Minimum dimensions of car parking spaces and accessways**

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45°</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>
### Table 2: Dimensions of Car Parking Spaces

<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>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

**Note to Table 2:** Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

### Diagram 1: Clearance to car parking spaces

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500 mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space. Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Mineral extraction</td>
</tr>
<tr>
<td>Stone exploration</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
</tr>
<tr>
<td>Petroleum exploration</td>
</tr>
<tr>
<td>Petroleum extraction</td>
</tr>
</tbody>
</table>

Application requirements for mineral extraction

An application to use and develop land for mineral extraction must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.

- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.

- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.
Referral requirements for mineral extraction

Before deciding on any applications to use and develop land for mineral extraction the Responsible Authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.08-2 do not apply to an application to use and develop land for mineral extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
STONE EXTRACTION AND EXTRACTIVE INDUSTRY INTEREST AREAS

Purpose

To ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.

Application

These provisions apply to planning permit applications for:

- The use and development of land for stone extraction.
- The use and development of land within an extractive industry interest area.
- The use and development of land within 500 metres of stone extraction.

Permit exemptions for stone extraction

A permit to use and develop land for stone extraction will not be required if the conditions in the table to Clause 52.08-1 are met.

Application requirements

An application to use and develop land for stone extraction must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.

These requirements do not apply to an application to use and develop land for stone extraction which is exempt from:

- The requirement to obtain a work plan under Section 77G of the Mineral Resources (Sustainable Development) Act 1990, or
- The provisions of the Mineral Resources (Sustainable Development) Act 1990 under Section 5AA of that Act.

Referral requirements

Before deciding on any applications to use and develop land for stone extraction the responsible authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.09-4 do not apply to an application to use and develop land for stone extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, responsible authority must consider, as appropriate:

- The effect of the proposed stone extraction on any native flora and fauna on and near the land.
- The impact of the stone extraction operations on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the stone extraction operation on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the stone extraction operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the Mineral Resources (Sustainable Development) Act 1990 and other relevant regulations.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed stone extraction on groundwater and quality and the impact on any affected water uses.
- The impact of the proposed stone extraction on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement issued under the Mineral Resources (Sustainable Development) Act 1990.

Permit conditions for stone extraction

A permit for the use and development of land for stone extraction must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit for the use and development of land for stone extraction must include conditions which are consistent with the requirements specified in Clause 52.09-7.

Requirements for the use and development of land for stone extraction

Boundary setback

Except with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land. This does not apply to driveways, drains, bund walls or landscaping.

Screen planting

Shrubs and trees must be planted and maintained to screen activity on the site to the satisfaction of the responsible authority.

Parking areas

Parking areas must be provided for employees’ cars and all vehicles used on the site to the satisfaction of the responsible authority.
Notice of an application

Notice of the kinds of application listed below must be given under section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for Accommodation, Child care centre, Education centre or Hospital:
  - Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

These requirements do not apply to an extension to buildings or works.
HOME BASED BUSINESS

Purpose
To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

Requirements to be met
A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

Permit requirement
Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
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.

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**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).

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**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.

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**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>

31/07/2018
VC148
**2009 BUSHFIRE - RECOVERY EXEMPTIONS**

**Purpose**
To support recovery operations following the 2009 Victorian bushfires.

**Scope**
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

**Exemptions from planning scheme requirements**
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.

- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.

- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.

- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.

- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.

- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.

- Any sign displayed must be directly associated with bushfire recovery.

- Any sign displayed must be removed prior to 31 March 2011.

**Use and development**
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.

- Construction of a building.

- Construction or carrying out of works.

- Removal, destruction or lopping of vegetation.

- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

### 52.13-4

**Land in a Heritage Overlay**

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

### 52.13-5

**Land in a Land Management Overlay**

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

### 52.13-6

**Land in an Environmental Audit Overlay**

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

### 52.13-7

**Cessation of use**

A use must not continue after 31 March 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 31 March 2020 unless in accordance with the requirements of this scheme.

**Decision guidelines**

Before deciding on an application to allow the retention or continuing use of a building, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose

To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,
    - that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.

- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.
- The existing and proposed access to the lot.
Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.

For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:

- The location and dimensions of vehicle access.
- The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
- The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

**Commencement of development**

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences.

The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

**Compliance with site plan**

- The development must comply with the approved site plan.

**Use and development conditions**

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.

For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:

- Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
- The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.

A building must be constructed of materials that are non-reflective and of muted tones in the following locations:

- Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
- Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.

52.14-3

Land in an Erosion Management Overlay

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:
- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.14-4

Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant floodplain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5

Decision guidelines

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:
- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person’s unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
HELIPORT AND HELICOPTER LANDING SITE

Purpose
To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement
A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency services</td>
</tr>
<tr>
<td>Agriculture</td>
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<tr>
<td>Public land management</td>
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<td>General</td>
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</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:

| Conservation work | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:
| | - which provides an overall improvement for biodiversity; and
| | - 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). |
| Crown land | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:
| | - 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
| | - 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). |
| Emergency works | Native 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 associated with 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 | 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:
| | - fire fighting;
| | - planned burning;
| | - making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; |
The requirement to obtain a permit does not apply to:

- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or
- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geothermal Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
</tbody>
</table>
| 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>Requirement</th>
<th>Description</th>
</tr>
</thead>
</table>
| **Regrowth** | Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
  The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of native vegetation which does not include a tree.  
  - 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeasing and bulk sampling activities. |
| **Stone extraction** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |
| **Surveying** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or  
  - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017). |
| **Utility installations** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:  
  - to maintain the safe and efficient function of a Minor utility installation; or  
  - by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
### Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
</tr>
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<tbody>
<tr>
<td>None specified</td>
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</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

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>
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<tbody>
<tr>
<td></td>
<td>which provides an overall improvement for biodiversity; and</td>
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<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>
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<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>
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<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;
The requirement to obtain a permit does not apply to:

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grasses</td>
<td>Native grass that is to be mowed or slashed for maintenance only, provided that the grass is:</td>
</tr>
<tr>
<td></td>
<td>- located within a lawn, garden or other landscaped area; or</td>
</tr>
<tr>
<td></td>
<td>- maintained at a height of at least 10 centimetres above ground level.</td>
</tr>
<tr>
<td>Grazing</td>
<td>Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on:</td>
</tr>
<tr>
<td></td>
<td>- freehold land; or</td>
</tr>
<tr>
<td></td>
<td>- Crown land in accordance with a license, permit or lease granted under applicable legislation.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Harvesting for timber production – naturally established native vegetation</td>
<td>Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the Code of Practice for Timber Production 2014 and are:</td>
</tr>
<tr>
<td></td>
<td>- undertaken on public land under a licence or permit issued under section 52 of the Forests Act 1958; or</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Lopping and pruning for maintenance</td>
<td>Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>- the pruning or lopping of the trunk of a native tree; or</td>
</tr>
<tr>
<td></td>
<td>- native vegetation on a roadside or railway reservation.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

| **Mineral exploration and extraction** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*:

- that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or

- in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.

Note: Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990* specifies limits on the extent of native vegetation that may be removed as part of low impact exploration. |

| **New buildings and works in the Farming Zone and Rural Activity Zone** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.

- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.

- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising. |

| **New dwellings in the Farming Zone and Rural Activity Zone** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone.

The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 300 square metres of native vegetation which does not include a tree.

- 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.

- 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage. |

| **Personal use** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land.

For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft.

This exemption does not apply to:

- contiguous land in one ownership that has an area of less than 10 hectares; |
The requirement to obtain a permit does not apply to:

- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

<table>
<thead>
<tr>
<th>Pest animal burrows</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in accordance with written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em>; or</td>
</tr>
<tr>
<td></td>
<td>- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of native vegetation which does not include a tree; or</td>
</tr>
<tr>
<td></td>
<td>- 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planted vegetation</th>
<th>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</td>
</tr>
</tbody>
</table>

| Railways            | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |

<table>
<thead>
<tr>
<th>Regrowth</th>
<th>Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- less than 10 years old; or</td>
</tr>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or</td>
</tr>
<tr>
<td></td>
<td>- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>), and is:</td>
</tr>
<tr>
<td></td>
<td>- shown on that plan as being ‘certified regrowth’; and</td>
</tr>
<tr>
<td></td>
<td>- on land that is to be used or maintained for cultivation or pasture during the term of that plan.</td>
</tr>
<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>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road safety</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Site area</td>
<td>Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares. This exemption does not apply to native vegetation on a roadside or rail reservation.</td>
</tr>
<tr>
<td>Stock movements on roads</td>
<td>Native vegetation that is to be removed, or destroyed by stock being moved along a road. This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of native vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaneing and bulk sampling activities.</td>
</tr>
<tr>
<td>Stone extraction</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>Surveying</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td>Traditional owners</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>Utility installations</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</td>
</tr>
<tr>
<td></td>
<td>- to maintain the safe and efficient function a Minor utility installation; or</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

<table>
<thead>
<tr>
<th>Vehicle access from public roads</th>
<th>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.</td>
</tr>
<tr>
<td></td>
<td>In this exemption, roadside and public road have the same meanings as in section 3 of the Road Management Act 2004.</td>
</tr>
<tr>
<td></td>
<td>Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weeds</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of native vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>
**SCHEDULE TO CLAUSE 52.17 NATIVE VETEGATION**

### Scheduled area

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of native vegetation for which no permit is required to remove, destroy or lop</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land generally bounded by Victoria Street, Burnley Street, the Yarra River and Doonside Street (in part), Richmond, as define by the incorporated document “Victoria Gardens - Building Envelope and Precinct Plan”.</td>
<td>The removal, destruction or lopping of all native vegetation where carried out in accordance with an approved development plan and landscape plan.</td>
</tr>
</tbody>
</table>

### Scheduled weed

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of weed</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### Utility installation code of practice

<table>
<thead>
<tr>
<th>Name of code of practice</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
TELECOMMUNICATIONS FACILITY

Purpose
To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.

To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.

To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

Permit requirement
A permit is required to construct a building or construct or carry out works for a Telecommunications facility. This does not apply to buildings and works for:

- A low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997 (Cth).
- The inspection and maintenance of a Telecommunications facility as defined in the Telecommunications Act 1997 (Cth).
- A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act 1997 (Cth).
- A temporary defence facility.
- The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
- A Telecommunications facility that complies with the requirements of section 5 of A Code of Practice for Telecommunications Facilities in Victoria, July 2004.
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the Telecommunications Act 1997 (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the Telecommunications Act 1997 (Cth) pursuant to legislation applying to that body.

Land in public ownership
An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless:

- The Telecommunications facility is a radio communications dish greater than 1.2 metres in diameter; or
- The Telecommunications facility is a Telecommunications tower (other than a low-impact facility described in the Telecommunications (Low-impact Facilities) Determination 1997 (Cth)); or
The land is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay; or

The land is public land not in a public land zone and the responsible authority is not the public land manager.

An application under any provision of this scheme to use or develop land for a Telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the Telecommunications facility is funded, or partly funded, by:

- The Commonwealth through the Mobile Black Spot Program; or
- The State of Victoria.

### Application requirements

An application must be accompanied by the following information as appropriate to the proposal and the location:

- A site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- The effect of the proposal on adjacent land.
- If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.
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.
52.23

ROOMING HOUSE

Purpose
To facilitate the establishment of domestic-scale rooming houses.

52.23-1

Application

This clause applies to use and development of land for a rooming house.

52.23-2

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.

52.23-3

Buildings and works exemption

Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.
CREMATORIUM

Purpose
To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required
A permit is required to develop and use a crematorium on land that is used for cemetery purposes. This does not apply to land in the Springvale Crematorium.

Decision guidelines
Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.
LICENCED PREMISES

Purpose

To ensure that licensed premises are situated in appropriate locations.
To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope

These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Permit required

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:

- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the Liquor Control Reform Act 1998.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.
### SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

#### 1.0 Permit not required

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

#### 2.0 Permit may not be granted

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>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.
Venues for gaming machines

A schedule to this clause may specify guidelines relating to venues for gaming machines.

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.
SCHEDULE TO CLAUSE 52.28 GAMING

1.0 Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richmond Plaza, Richmond</td>
<td>Land on the northwest corner of Church Street and Bridge Road, Richmond</td>
</tr>
<tr>
<td>Victoria Gardens Shopping Centre</td>
<td>Land located at the corner of Burnley Street and Victoria Street, Richmond</td>
</tr>
</tbody>
</table>

2.0 Prohibition of a gaming machine in a strip shopping centre
A gaming machine as specified in Clause 52.28-4 is prohibited in all strip shopping centres on land covered by this planning scheme.
LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD

Purpose
To ensure appropriate access to identified roads.
To ensure appropriate subdivision of land adjacent to identified roads.

Application
This clause applies to land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit requirement
A permit is required to:
- Create or alter access to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.
- Subdivide land adjacent to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit not required
A permit is not required to:
- Realign a boundary.
- Subdivide an existing building, provided the building is already connected to services and no new access is required.
- Subdivide land into two lots, provided no new access is required.

Referral of applications
An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the acquiring authority for the land, must be referred to the Roads Corporation under section 55 of the Act.

Any other application must be referred to the owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1, or the Public Acquisition Overlay.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:
- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
- Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the *Road Management Act 2004* regarding access between a controlled access road and adjacent land.
[NO CONTENT]
WIND ENERGY FACILITY

Purpose
To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land
A permit is required to use and develop land for a Wind energy facility. The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td>Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.</td>
</tr>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td></td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling
An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
change the location of a turbine so that the centre of the tower (at ground level) is located
closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre
of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an
industrial zone, a commercial zone or a special purpose zone.

52.32-4
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 (Cwlth)
  - 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 (Cwlth), 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 (Cwlth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

**Design response**

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
- An assessment of:
  - the visual impact of the proposal on the surrounding landscape.
  - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
  - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).
  - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
  - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
- A statement of why the site is suitable for the wind energy facility.
- An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

**Mandatory noise assessment**

- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
- An environmental audit report of the pre-construction (predictive) noise assessment report prepared under Part IXD, Section 53V of the *Environment Protection Act 1970* by an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. The environmental audit report must verify that the acoustic assessment undertaken for the purpose
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

Mandatory condition

A permit to use or develop land for a wind energy facility must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.

- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the Environment Protection Act 1970 by an environmental auditor appointed under Part IXD of the Environment Protection Act 1970. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.
- The impact of the development on significant views, including visual corridors and sightlines.
- The impact of the facility on the natural environment and natural systems.
- The impact of the facility on cultural heritage.
- The impact of the facility on aircraft safety.

Anemometer

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

Application to amend a permit under section 72 of the Act

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
## SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

### 1.0

#### Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
POST BOXES AND DRY STONE WALLS

Purpose
To conserve historic post boxes and dry stone walls.

Permit requirement
A permit is required to demolish or remove a post box constructed before 1930.
A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.
### SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

#### 1.0 Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

---

**Permit requirement for dry stone walls**

None specified.
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</td>
<td>1 to each 20 employees</td>
<td>1 to each 20 full-time students</td>
</tr>
<tr>
<td>in this table</td>
<td></td>
<td></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</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each</td>
</tr>
<tr>
<td></td>
<td>100 sq m of lounge floor area available to the public</td>
<td>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</td>
</tr>
<tr>
<td></td>
<td></td>
<td>available to the public if the floor area exceeds 400 sq m.</td>
</tr>
<tr>
<td>Retail premises other than specified in this table</td>
<td>1 to each 300 sq m of leasable floor area</td>
<td>1 to each 500 sq m of leasable floor area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 to each 800 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Shop</td>
<td>1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
<td>1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
</tr>
</tbody>
</table>
Visitor/Shopper/StudentEmployee/Resident Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Take-away food premises</td>
<td>1 to each 100 sq m of net floor area</td>
<td>1 to each 50 sq m of net floor area</td>
</tr>
</tbody>
</table>

Table 2 to Clause 52.34-5 Showers

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</th>
<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.

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**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 or buildings intended to be used for residential purposes.</td>
<td>4.5%</td>
</tr>
</tbody>
</table>
BUSHFIRE PLANNING

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Application

This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.

Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4 applies to all other applications.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome that must be achieved in a completed development.

- **Approved measures (AM).** An approved measure meets the objective.

- **Alternative measures (AltM).** An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.

- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

Dwellings in existing settlements – Bushfire protection objective

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 1.1</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>• The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>• The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>• Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 1.2</td>
<td>A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td></td>
<td>A building is constructed to the bushfire attack level:</td>
</tr>
<tr>
<td></td>
<td>• That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or</td>
</tr>
<tr>
<td></td>
<td>• The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply:</td>
</tr>
<tr>
<td></td>
<td>• A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.</td>
</tr>
<tr>
<td></td>
<td>• A minimum bushfire attack level of BAL12.5 is provided in all circumstances.</td>
</tr>
<tr>
<td>AM 1.3</td>
<td>A building is provided with:</td>
</tr>
<tr>
<td></td>
<td>• A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</td>
</tr>
<tr>
<td></td>
<td>• Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</td>
</tr>
</tbody>
</table>

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

• The Municipal Planning Strategy and the Planning Policy Framework.

• The bushfire hazard site assessment and the bushfire management statement submitted with the application.

• Whether all of the approved measures have been incorporated into the application.

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Bushfire protection objectives

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
<tr>
<td>AM 2.2</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 2.3</td>
<td>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</td>
</tr>
</tbody>
</table>

53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 3.1</td>
<td>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or</td>
</tr>
<tr>
<td></td>
<td>- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</td>
</tr>
<tr>
<td>AM 3.2</td>
<td>A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:</td>
</tr>
<tr>
<td></td>
<td>- Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.</td>
</tr>
<tr>
<td></td>
<td>- Constructed to a bushfire attack level of BAL 12.5.</td>
</tr>
</tbody>
</table>

Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 3.3</td>
<td>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td>AltM 3.4</td>
<td>Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.</td>
</tr>
</tbody>
</table>
AltM 3.5  A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:

- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

- The dwelling is constructed to a bushfire attack level of BAL FZ.

This alternative measure only applies where the requirements of AM 3.1 cannot be met.

AltM 3.6  A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property. Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<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>

<table>
<thead>
<tr>
<th>AM 4.2</th>
<th>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:</th>
</tr>
</thead>
</table>
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.

### Measure | Requirement
--- | ---
**AM 5.1** | An application to subdivide land, other than where **AM 5.2** applies, demonstrates that each proposed lot is capable of meeting:
- The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.
- The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.

**AM 5.2** | An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:
- Each lot satisfies the approved measure in **AM 2.1**.
- A building envelope for a single dwelling on each lot that complies with **AM 2.2** and provides defendable space in accordance with:
  - Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or
  - Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.

  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.
- Defendable space wholly contained within the boundaries of the proposed subdivision.
- 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.
- Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.
- Water supply and vehicle access that complies with **AM 4.1**.

**AM 5.3** | An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.
Requirement Measure

A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 5.5</td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>· All other requirements of AM 5.2 have been met.</td>
</tr>
<tr>
<td></td>
<td>· Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.</td>
</tr>
</tbody>
</table>

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.
### Table 1: Defendable space and construction

<table>
<thead>
<tr>
<th>Slope Type</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></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></td>
<td>Scrub</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>19</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
</tr>
</tbody>
</table>
### 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>
</tbody>
</table>

**Note 1:**  
Slope and vegetation type is determined through the bushfire hazard site assessment.

**Note 2:**  
Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:  
- has been modified, altered or is managed due to urban development, or gardening,  
- has different fuel loads from those assumed in the standard,  
- has limited or no understorey vegetation, or  
- is not low-threat or low-risk vegetation as defined in the standard.
<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;0 to 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>57</td>
<td>43</td>
<td>32</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>41</td>
<td>29</td>
<td>21</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
<td>14</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Grassland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;5 to 10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>69</td>
<td>53</td>
<td>39</td>
<td>31</td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>50</td>
<td>37</td>
<td>26</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>24</td>
<td>17</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;10 to 15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>82</td>
<td>64</td>
<td>49</td>
<td>39</td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>60</td>
<td>45</td>
<td>33</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>39</td>
<td>28</td>
<td>19</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>26</td>
<td>18</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Rainforest</td>
<td>45</td>
<td>33</td>
<td>23</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Grassland</td>
<td>28</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;15 to 20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>98</td>
<td>78</td>
<td>61</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>73</td>
<td>56</td>
<td>41</td>
<td>32</td>
<td></td>
</tr>
</tbody>
</table>
### Table 3 Defendable space

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Upslope and flat land (0 degrees)</th>
<th>Downslope (degrees)</th>
<th>&gt;0-5</th>
<th>&gt;5-10</th>
<th>&gt;10-15</th>
<th>&gt;15-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forest</td>
<td>60</td>
<td>70</td>
<td>85</td>
<td>105</td>
<td>125</td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
<td>50</td>
<td>62</td>
<td>75</td>
<td>95</td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>28</td>
<td>32</td>
<td>36</td>
<td>41</td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>40</td>
<td>45</td>
<td>50</td>
<td>55</td>
<td></td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
<td>26</td>
<td>30</td>
<td>35</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
<td>36</td>
<td>46</td>
<td>60</td>
<td>70</td>
<td></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 <strong>AM4.1</strong>.</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>
<tr>
<td><strong>Note 1:</strong> The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.</td>
<td></td>
</tr>
</tbody>
</table>

**Table 6 Vegetation management requirement**

**Vegetation management requirement**

Defendable space is provided and is managed in accordance with the following requirements:

• Grass must be short cropped and maintained during the declared fire danger period.

• All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.

• Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.

• Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.

• Shrubs must not be located under the canopy of trees.

• Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
Vegetation management requirement

- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

<table>
<thead>
<tr>
<th>Building construction condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:</td>
</tr>
<tr>
<td>- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or</td>
</tr>
<tr>
<td>- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.</td>
</tr>
<tr>
<td>Any openings in the wall shall be protected in accordance with the following:</td>
</tr>
<tr>
<td>i. Doorways – by FLR -/60/30 self-closing fire doors</td>
</tr>
<tr>
<td>ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position</td>
</tr>
<tr>
<td>iii. Other openings – by construction with a FRL of not less than -/60/-</td>
</tr>
</tbody>
</table>

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
BROTHELS

Purpose
To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the Sex Work Act 1994.

Permit requirement
A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the Sex Work Act 1994.

Decision guidelines
Responsible authorities should consider the matters set out in section 73 of the Sex Work Act 1994 before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the Sex Work Act 1994, unless section 76(2) of Sex Work Act 1994 applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the Planning and Environment Act 1987, or

- An application to amend a permit in accordance with Part 4 Division 1A of the Planning and Environment Act 1987, or

- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the Planning and Environment Act 1987, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the Sex Work Act 1994.
CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.

- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - The suitability of the land for a residential use.

- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.

- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.

- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.

- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
FREeway Service CenTer

Purpose
To ensure that freeway service centres are appropriately designed and located.
To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Roads Corporation.
To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.
To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.
To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

Requirements to be met
Facilities and services
A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres
No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.
An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

**Metropolitan freeway service centre adjoining a residential zone**

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

LIVE MUSIC AND ENTERTAINMENT NOISE

Purpose
To recognise that live music is an important part of the State’s culture and economy.
To protect live music entertainment venues from the encroachment of noise sensitive residential uses.
To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.
To ensure that the primary responsibility for noise attenuation rests with the agent of change.

Application
This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- a live music entertainment venue.
- a noise sensitive residential use that is within 50 metres of a live music entertainment venue.

This clause does not apply to:

- the extension of an existing dwelling.
- a noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause.

Meaning of terms
In this clause:

- **live music entertainment venue** means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.

- **noise sensitive residential use** means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

Requirements to be met
A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- indoor live music entertainment venue to below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).
- outdoor live music entertainment venue to below 45dB(A), assessed as an $L_{eq}$ over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (Schedule B1 of SEPP N2 does not apply).
A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

53.06-4
31/07/2018
VC148

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.

53.06-5
31/07/2018
VC148

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the 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>Collingwood Arts Precinct</td>
<td>35 Johnston Street, Collingwood</td>
<td>None</td>
</tr>
</tbody>
</table>
SHIPPING CONTAINER STORAGE

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

Decision guidelines

Before deciding on an application to use land for shipping container storage, or construct a building or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Road Zone.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.

- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.

- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.

- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.

- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.

- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.

- The adequacy of traffic measures to:
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.
CATTLE FEEDLOT

Purpose
To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met
All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.
The Code must be complied with to the satisfaction of the responsible authority.
POULTRY FARM

Purpose

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Permit not required – Outdoor range area for existing broiler farm

Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

Requirement – Broiler farm

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

Exemption from notice and review

The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
### Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

### Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose
To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance
The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Metal Products</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- aluminium by electrolysis</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>- other non-ferrous metals in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 1,000,000 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Chemical, Petroleum &amp; Coal Products</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• manufacture</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• blending and mixing only</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Petroleum refinery:</td>
<td>2,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary production:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Polyester resins production</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Soap and other detergents production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Synthetic resins &amp; rubber production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Fabricated Metal Products**

| Abrasive blast cleaning:                                                                                   |                            | Note 1|
| Boiler makers                                                                                                | 100                        |       |
| Structural or sheet metal production:                                                                     | 500                        |       |
| Works producing iron or steel products in amounts:                                                        |                            |       |
| • up to 1,000,000 tonnes per year                                                                           | 100                        |       |
| • exceeding 1,000,000 tonnes per year                                                                      | 1,000                      |       |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                                                                                   | 500                        |       |
| Bakery (other than one ancillary to a shop):                                                               | 100                        |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td></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>
</tbody>
</table>

**Other Premises**

| Panel beating:                                                                                             | 100                         |                        |
| Rural industry handling, processing or packing agricultural produce:                                       | 300                         |                        |

**Paper & Paper Products:**

<table>
<thead>
<tr>
<th>Paper or paper pulp production:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<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>
</tbody>
</table>

**Recreation, Personal & Other Services**

| Dry cleaning for commercial and institutional customers, or in bulk quantities:                           | 100                         | Note 2                 |
| Laundry for commercial and institutional customers, or in bulk quantities:                                | 100                         |                        |

**Recycling and Resource Recovery**

<p>| Advanced resource recovery technology facility                                                             |                             | Note 1                 |
| Combustion, treatment or bio-reaction of waste to produce energy                                          |                             | Note 1                 |
| Commercial and Industrial materials recycling                                                              |                             | Note 1                 |</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>Composting and other organic materials recycling.</td>
<td>100</td>
<td>Note 1</td>
</tr>
<tr>
<td>Construction and demolition materials recycling</td>
<td>100</td>
<td>Note 1</td>
</tr>
<tr>
<td>Other resource recovery or recycling operations</td>
<td>100</td>
<td>Note 1</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>100</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>100</td>
<td>Note 1</td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td>100</td>
<td>Note 1</td>
</tr>
<tr>
<td>Used metals treatment or processing</td>
<td>100</td>
<td>Note 1</td>
</tr>
<tr>
<td>Used paper and cardboard treatment or processing</td>
<td></td>
<td>Use distances in Paper &amp; Paper Products</td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td>100</td>
<td>Note 1</td>
</tr>
</tbody>
</table>

**Textiles**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpet backing with latex:</td>
<td>300</td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles:</td>
<td>300</td>
</tr>
<tr>
<td>Production of artificial fibres &amp; textiles:</td>
<td></td>
</tr>
<tr>
<td>• cellulose nitrate or viscose fibre, cellophane or artificial rubber</td>
<td>1,000</td>
</tr>
<tr>
<td>• other synthetic fibres and textiles</td>
<td>500</td>
</tr>
<tr>
<td>Rope, cordage and twine production:</td>
<td>100</td>
</tr>
<tr>
<td>Treatment or production of textiles:</td>
<td></td>
</tr>
<tr>
<td>• using carbon disulphide</td>
<td>500</td>
</tr>
<tr>
<td>• using other substances</td>
<td></td>
</tr>
<tr>
<td>Wool scouring:</td>
<td>200</td>
</tr>
</tbody>
</table>

**Transport and Storage**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depot for refuse collection vehicles</td>
<td>100</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Grain elevators:</td>
<td>300</td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
</tr>
</tbody>
</table>

**Wood, Wood Products & Furniture**

- 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.
RESOURCE RECOVERY

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Application

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

Application requirements

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Consideration of whether a works approval or licence is required from the Environment Protection Authority.

- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

Decision Guidelines

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
 Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PIG FARM

Purpose

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review

An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 – 30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
</tbody>
</table>
**Table:**

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

**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>
</tbody>
</table>
| The site is on a corner. | If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère. | 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
### Development context

<table>
<thead>
<tr>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
</tr>
<tr>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
<td></td>
</tr>
</tbody>
</table>

### Side and rear setbacks

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
**Walls on boundaries**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Daylight to existing windows**

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Solar panel overshadowing

Buildings should be sited and designed to ensure that the capacity of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

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**Noise impacts**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

**Daylight to new windows**

A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

**Site coverage**

The site area covered by buildings should not exceed 80 percent.

**Access**

Access ways should be designed to:
- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

**Building entry**
The main pedestrian entry to a building should:
- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

**Communal open space**
Accessible and useable communal open space should be provided for residents and staff.

**Front fence**
A front fence within 3 metres of a street should not exceed:
- 2 metres in height in streets in a Road Category 1; and
- 1.5 metres in height on all other streets.

**Decision guidelines**
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- 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 \( da \cdot V_{ave} < 0.35 \, \text{m}^2/\text{s} \) (where, \( da = \text{average depth in metres} \) and \( V_{ave} = \text{average velocity in metres per second} \)).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

**Stormwater management objectives for buildings and works**

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

**Standard W2**

The stormwater management system should be designed to:

- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

**Site management objectives**

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
**Standard W3**

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
ONE DWELLING ON A LOT

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Design response

The design response must explain how the proposed design:
- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
**NEIGHBOURHOOD CHARACTER**

**Neighbourhood character objective**
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
To ensure that the design responds to the features of the site and the surrounding area.

**Standard A1**
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

**Integration with the street objective**
To integrate the layout of development with the street.

**Standard A2**
Dwellings should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</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>
<pre><code>                                                                                 | 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. |                                                                                                            |
</code></pre>

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 no 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.
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.
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

**Overshadowing open space objective**

To ensure buildings do not unreasonably overshadow existing secluded private open space.

**Standard A14**

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight is available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard A15**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram A4 Overlooking open space**

![Diagram of 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.
Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

Neighbourhood character objectives
To ensure that the design respects the existing neighbourhood character or contributes to a preferred
neighbourhood character.

To ensure that development responds to the features of the site and the surrounding area.

Standard B1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond
to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in
the Municipal Planning Strategy and the Planning Policy Framework.
To support medium densities in areas where development can take advantage of public transport
and community infrastructure and services.

Standard B2
An application must be accompanied by a written statement to the satisfaction of the responsible
authority that describes how the development is consistent with any relevant policy for housing
in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3
Developments of ten or more dwellings should provide a range of dwelling sizes and types,
including:
- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at
ground floor level.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandas that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.

- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

**Building height objective**

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

**Standard B7**

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

**Site coverage objective**

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

**Standard B8**

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
Permeability and stormwater management objectives

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9

The site area covered by the pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

The stormwater management system should be designed to:

- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Energy efficiency objectives

To achieve and protect energy efficient dwellings and residential buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.
**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

**Open space objective**
To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

**Standard B11**
If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

**Safety objective**
To ensure the layout of development provides for the safety and security of residents and property.

**Standard B12**
Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**
To encourage development that respects the landscape character of the neighbourhood.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
To provide appropriate landscaping.
To encourage the retention of mature vegetation on the site.

**Standard B13**
The landscape layout and design should:
- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.
Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.
The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.
Development should meet any additional landscape requirements specified in a schedule to the zone.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the neighbourhood.
- The health of any trees to be removed.
- Whether a tree was removed to gain a development advantage.

**Access objective**
To ensure the number and design of vehicle crossovers respects the neighbourhood character.

**Standard B14**
The width of accessways or car spaces should not exceed:
- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.
The location of crossovers should maximise the retention of on-street car parking spaces.
The number of access points to a road in a Road Zone should be minimised.
Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the neighbourhood character.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard B15
Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

### Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

### Standard B18

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

### Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.
Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Diagram B3 North-facing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

### Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

### Standard B22

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

### Diagram B4 Overlooking open space

![Diagram B4 Overlooking open space](image)

### Decision guidelines

Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

**Internal views objective**

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:
- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:
- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or

A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

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**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**

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**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.

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**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.

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**Front fences objective**
To encourage front fence design that respects the existing or preferred neighbourhood character.

**Standard B32**
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

**Table B3 Maximum front fence height**

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

**Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose
Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard B35
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30MJ/M² per annum</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22MJ/M² per annum</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69MJ/M² per annum</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22MJ/M² per annum</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21MJ/M² per annum</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21MJ/M² per annum</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19MJ/M² per annum</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23MJ/M² per annum</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
• The size, orientation and layout of the site.
• The existing amount of solar access to abutting properties.
• The availability of solar access to north-facing windows on the site.
• The annual cooling load for each dwelling.
• The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
• Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
• The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard B36

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:
• Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
• Be designed to protect any natural features on the site.
• Maximise landscaping opportunities.
• Be accessible, useable and capable of efficient management.

Decision guidelines

Before deciding on an application, the responsible authority must consider:
• Any relevant urban design objective, policy or statement set out in this scheme.
• The design response.
• The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
• The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Deep soil areas and canopy trees objective
To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

Standard B38
The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table B5 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Noise impacts objectives
To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.
Standard B40

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B6 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

**Table B6 Noise influence area**

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

*Note: The noise influence area should be measured from the closest part of the building to the noise source.*

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B41
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.

Table B7 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.
To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B42
Entries to dwellings and buildings should:
- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:
- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

**Private open space above ground floor objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard B43**

A dwelling should have private open space consisting of:
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table B8 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
Storage objective

To provide adequate storage facilities for each dwelling.

Standard B44

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.

Table B9 Storage

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

Waste and recycling objectives

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard B45

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.

- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

### Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

**Standard B46**
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

#### Table B10 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.

#### Table B11 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

### Room depth objective
To allow adequate daylight into single aspect habitable rooms.

**Standard B47**
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.
The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
The room combines the living area, dining area and kitchen.

The kitchen is located furthest from the window.

The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

**Windows objective**

To allow adequate daylight into new habitable room windows.

**Standard B48**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on 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.

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**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.

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**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 volume¹</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m⁶ 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>Kerbing⁤</td>
<td>None</td>
</tr>
</tbody>
</table>

Footpath provision
Carriageway designed as a shared zone and appropriately signed.

Cycle path provision
None

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>300vpd to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m 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>
</tbody>
</table>
### Kerbing\(^5\)
Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

### Footpath provision
Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed.

or
1.5m wide footpath offset a minimum distance of 1m from the kerb.

### Cycle path provision
None

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#### 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 with1 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>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb.</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>Carriageway designed as a shared zone and appropriately signed.</td>
</tr>
</tbody>
</table>

---

#### Access Street - Level 2
A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic 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>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.</td>
</tr>
</tbody>
</table>
Cycle path provision
Carriageway designed as a shared zone and appropriately signed.

Connector Street - Level 1
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>50 kph² reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
- For on-street cycling, increase the minimum clear carriageway in each direction by:
  - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or
  - 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.

- An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.
- Bus stops at the kerbside, not indented within the verge.

Verge width⁴
4.5m minimum each side.

Kerbing⁵
Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

Footpath provision
- 1.5m wide footpaths on both sides.
- Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths offset a minimum distance of 1m from the kerb.

Connector Street - Level 2
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>60 kph³ or 50km/h reduced to 40kph at schools.</td>
</tr>
</tbody>
</table>
Carriageway width, cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
- 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium.
- 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by a non-trafficable central medium.

For on-street cycling, increase the minimum clear carriageway in each direction by:

- 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
- 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway
- 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
- 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.

An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.

Bus stops located at the kerbside, not indented within the verge.

Verge width

- 6m minimum each side (plus central median).

Kerbing

- Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

Footpath and cycle path provision

- 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or
- 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway.
- Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

Arterial Road

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>Greater than 7000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Carriageway width &amp; parking provision within street reservation</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
</tbody>
</table>
Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives
To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Standard C22
The supply of drinking water must be:
- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective
To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23
Reused and recycled water supply systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24
Waste water systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.
Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives
To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
**Standard C25**

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35$ m$^2$/s (where, $d_a$ = average depth in metres and $V_{ave}$ = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:
- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.
Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
Shared trenching objectives
To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Standard C27
Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Electricity, telecommunications and gas objectives
To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28
The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.
Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.
The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.
Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Fire hydrants objective
To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29
Fire hydrants should be provided:
- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.
Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Public lighting objective
To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30
Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.
Public lighting should be designed in accordance with the relevant Australian Standards.
Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:
- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:
- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:
- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):
- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
URBAN CONTEXT REPORT AND DESIGN RESPONSE

Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
URBAN CONTEXT

Urban context objectives
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

Standard D1
The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

Integration with the street objective
To integrate the layout of development with the street.

Standard D5
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.
Development should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Development next to existing public open space should be laid out to complement the open space.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

**Standard D7**

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, which ever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

**Standard D8**

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

**Standard D9**

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**

To encourage development that respects the landscape character of the area.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

**Standard D10**

The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

Access objective

To ensure the number and design of vehicle crossovers respects the urban context.

Standard D11

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard D12
Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
• The design response.

• Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.

• Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.

• The capacity of the drainage network to accommodate additional stormwater.

• Whether the stormwater treatment areas can be effectively maintained.

• Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
AMENITY IMPACTS

Building setback objectives
To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.
To allow adequate daylight into new dwellings.
To limit views into habitable room windows and private open space of new and existing dwellings.
To provide a reasonable outlook from new dwellings.
To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14
The built form of the development must respect the existing or preferred urban context and respond to the features of the site.
Buildings should be set back from side and rear boundaries, and other buildings within the site to:
- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

Internal views objective
To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

**Standard D16**

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

**Table D3 Noise influence area**

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

*Note: The noise influence area should be measured from the closest part of the building to the noise source.*

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Table D4 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>• A slide door, or</td>
<td>• A slide door, or</td>
</tr>
<tr>
<td></td>
<td>• A door that opens outwards, or</td>
<td>• A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>• A door that opens inwards that is clear of the</td>
<td>• A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td></td>
<td>circulation area and has readily removable hinges.</td>
<td></td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>• A minimum area of 1.2 metres by 1.2 metres.</td>
<td>• A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>• Located in front of the shower and the toilet.</td>
<td>• The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>• Clear of the toilet, basin and the door swing.</td>
<td>• Clear of the toilet and basin. The circulation area can include a shower</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can</td>
<td>area.</td>
</tr>
<tr>
<td></td>
<td>overlap.</td>
<td></td>
</tr>
<tr>
<td>Path to circulation</td>
<td>A clear path with a minimum width of 900mm from the</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>area</td>
<td>door opening to the circulation area.</td>
<td></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</td>
</tr>
<tr>
<td></td>
<td></td>
<td>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, nose, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.
- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.
- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.
- Photographs of the building or area affected by the proposal.
- A written statement, plan or diagram demonstrating how the proposal meets:
  - The garden area requirement specified in the zone.
  - The requirements in the following standards of Clause 54:
. A10 Side and rear setbacks.
. A11 Walls on boundaries.
. A12 Daylight to existing windows.
. A13 North-facing windows.
. A14 Overshadowing open space.
. A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objectives and standard A6.
  - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
  - Clause 54.03-6 Significant trees objectives and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The following objectives, standards and decision guidelines of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objective and standard A6.
  - Clause 54.03-5 Energy efficiency protection objective and standard A7.
  - Clause 54.03-6 Significant trees objective and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.
LOCAL VICSMART APPLICATIONS

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.
# SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

## 1.0 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>
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</tbody>
</table>

## 2.0 Table 2 Classes of local VicSmart application under overlay provisions

<table>
<thead>
<tr>
<th>Name of overlay or class of overlay</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## 3.0 Table 3 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements
None specified

2.0 Decision guidelines
None specified
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
[NO CONTENT]
USES NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- 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 shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.

An annexe attached to a movable caravan located on land used for a camping and caravan park.

Works associated with geotechnical testing or service proving.

Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.

The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a dependent person’s unit.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- Domestic services normal to a dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy facility attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

Vegetation removal

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOlITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.
EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.
SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.
SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.

- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.

- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and *Lands Act 1987*.
- The code of practice is approved or ratified by Parliament under an Act.
ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.

- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.

- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.

- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the types of applications which must be referred under Section 55 of the Act or for which notice must be given under Section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of Section 52(1) of the Act.

These provisions also specify when a plan must be referred under Section 8(1)(a) of the Subdivision Act 1988.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act.

Any requirement for referral under this or another clause does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

Notice

Notice of an application of the kind listed below in Clauses 66.05 and 66.06 must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.
SUBDIVISION REFERRALS

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A boundary realignment.</td>
<td>The relevant water, drainage or sewerage authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of an existing building already connected to services.</td>
<td>The relevant electricity supply or distribution authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A two lot subdivision.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.</td>
<td>Country Fire Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.</td>
<td>Minister administering the 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> and which provides water to a domestic supply.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td></td>
<td></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>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Industry or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 1 or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 2 and if any of the following apply:</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
Type of 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>- 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>Secretary to the Department administering the Heritage Act 1995.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Secretary to the Department administering the Catchment and Land Protection Act 1994.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
</tbody>
</table>
| - 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.  
- 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. | Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988* | Determining referral authority |
| - To use or develop land for stone extraction:                                      | Secretary to the Department administering Section 201 of the *Water Act 1989*     | Determining referral authority |
| - In areas with communities or taxa listed or critical habitat determined under the *Flora and Fauna Guarantee Act 1988*.  
- On land which has been identified in this scheme as containing sites of flora or fauna significance. | Environment Protection Authority                                                  | Determining referral authority |
| - To use or develop land for stone extraction on land which has been identified in this scheme as flood prone. | Roads Corporation                                                                | Determining referral authority |
| - 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.  
- 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. | Roads Corporation                                                                | Determining referral authority |
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the Geothermal Energy Resources Act 2005</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the Greenhouse Gas Geological Sequestration Act 2008</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This does not apply to:

- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.
- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.
### 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>
REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>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>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>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>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>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>44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
</tbody>
</table>
| Clause 44.06-6 (BMO) | An application to construct a building or carry out works associated with a dwelling. This does not apply to a non habitable outbuilding that meets the following requirements:  
- The outbuilding is ancillary to a dwelling,  
- 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,  
- The canopy of each tree within the defendable space is separated by at least 2 metres, and  
- Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. | Relevant fire authority | Recommending referral authority                  |
<p>| Clause 44.07-4 (SRO) | An application of the kind specified in a schedule to the overlay.                    | Referral authority specified in a schedule to the overlay | Determining referral authority               |
| Clause 45.01-3 (PAO) | An application under the overlay.                                                    | Acquiring authority specified in the schedule to the overlay | Determining referral authority               |
| Clause 45.07-6 (CLPO) | An application under the overlay.                                                    | Roads Corporation                                      | Determining referral authority               |
| Clause 52.05 | An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004. | Roads Corporation                                      | Determining referral authority               |
| Clause 52.27 | An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am. | Victorian Commission for Gambling and Liquor Regulation | Determining referral authority               |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 52.29</td>
<td>An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Any other application under the Clause.</td>
<td>Owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1 or the PAO</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 53.05-1</td>
<td>An application to use or develop land for a Freeway service centre.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.
### 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 3 to Clause 42.01 (ESO)</td>
<td>An application for buildings and works and removal of vegetation in accordance with the requirements of the clause.</td>
<td>Melbourne Water</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 4.0 of Schedule 1 to Clause 43.02 (DDO)</td>
<td>To assess the impact of an application for buildings or works on the environmental and waterway values of the Yarra River within 100 metres of its banks.</td>
<td>Melbourne Water</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
### NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 45.08-6</td>
<td>An application to use or subdivide land, or to construct a building or construct or carry out works.</td>
<td>The airport lessee company of Melbourne Airport in accordance with the Commonwealth Airports Act 1996</td>
</tr>
</tbody>
</table>
| Clause 52.09-8 | An application to use or subdivide land or construct a building for Accommodation, Education centre or Hospital:  
  • Within an Extractive Industry Interest Area.  
  • On land which is within 500 metres of land on which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
  An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
  These requirements do not apply to an extension to buildings or works. | The Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990 |
| Clause 52.21 | An application to construct, use or illuminate a private tennis court under any provision of this scheme.      | The owners and occupiers of adjoining and opposite properties                                   |
| Clause 52.27 | An application in association with a bar, hotel or nightclub that is to operate after 1am.                    | Chief Commissioner of Victoria Police                                                          |
| Clause 53.09 | An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009. | Environment Protection Authority                                                               |
| Clause 67.02 | An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme | The owners and occupiers of adjoining land  
  The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust |
| Clause 67.03 | An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act. | The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988            |
NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.
## Notice of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 4.0 of Schedule 5 to 43.02 (DDO)</td>
<td>An application under another provision of the scheme.</td>
<td>Environment Protection Authority, Transurban City Link Limited and the Roads Corporation</td>
</tr>
<tr>
<td>Clause Schedule 6 to 43.02 (DDO)</td>
<td>An application under Schedule 6 to 43.02</td>
<td>the owner and occupier of the Abbotsford Brewery site at 4-6 Southampton Crescent, Abbotsford</td>
</tr>
<tr>
<td>Clause 2.0 of Schedule 8 to 43.02 (DDO)</td>
<td>An application under Schedule 8 to 43.02</td>
<td>Executive Director, Heritage Victoria</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.
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.

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.

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 a:

- Renewable energy facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater.

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

31/07/2018
VC148

Responsible authority for administering and enforcing this planning scheme:
The Yarra 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

11/10/2018
GC96

Responsible authority for administering and enforcing a provision of this planning scheme:
The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for land at:

- Yarra Bend Road, Fairfield - occupied by the Victorian Institute of Forensic Psychiatry;
- 214 Heidelberg Road, Fairfield (south-west corner of Heidelberg and Yarra Bend Roads);
- St Heliers Street Northern Precinct, Abbotsford (the area designated in the planning scheme maps as DPO10);
- 572-576 Swan Street and Crown Allotments 16 T1 and 16 T3, Burnley (the area designates in the planning scheme maps as DPO3);
- Land as shown on the ‘Extent of Proposed Site’ on the ‘Civil Siteworks Site Locality Plan’ reference 104140/C/45 issue P5 prepared by Grogan Richards Consulting Engineers dated 1 April 2005 in the incorporated document Swan Street Works, Burnley, June 2005, which is generally north of 572-576 Swan Street, Burnley (Botanicca Corporate Park) and extending approximately 250 metres west and 150 metres east of Central Drive and in part extending to the northern kerb of Yarra Boulevard;
- Land as shown on the ‘Plan of Extent of Works’ on the ‘Crown Allotment 2273 Parish of Jika Jika’ reference 9341 M11 Version 3 prepared by Millar Merrigan dated 7 September 2005 which is generally west of Kevin Bartlett Reserve, Burnley and comprising Crown Allotment 2273 and generally extending 6m north, 19m east, 2m south and 10m west of Crown Allotment 2273;
- 111 Queens Parade and 433 Smith Street, Fitzroy North (Former Fitzroy Gasworks); and

The Minister for Planning is the responsible authority for land known as 8 Farm Road, Alphington (LaTrobe Golf Club, Lot 2 TP891543 and lot 2 TP868884) and 12-18 Old Heidelberg Road, Alphington (Alphington Grammar School, Lot 1 TP516931 and Plan CP154346) for the purposes of exercising the power set out in section 171 of the Planning and Environment Act 1987 relating to the Darebin-Yarra Trail Link project.

The Minister for Planning is the responsible authority for amending and approving the Master Plan required under Schedule 4 to the Special Use Zone.

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 and exercising the powers set out in Section 171 and under Division 2 of Part 9 of the Planning and Environment Act 1987 and for approving matters required by the planning scheme or a condition of a permit to be done to the satisfaction of the responsible authority, in relation to the use and development of land within the Fitzroy Housing Precinct and the Richmond Housing Precinct, more particularly being the areas affected by Schedule 10 to the Development Plan Overlay.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 51.01 of the scheme in respect of the “Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018”.
- Any other provision of the scheme as it applies to the use or development of land for the Melbourne Metro Rail Project: Upgrades to the Rail Network.
3.0
Person or responsible authority for issuing planning certificates:
Minister for Planning

4.0
Responsible authority for VicSmart applications:
The Chief Executive Officer of Yarra 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:

This Planning Scheme applies to all land in the municipal district of the Yarra City Council.
WHAT DOES THIS PLANNING SCHEME CONSIST OF?

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).
- All clauses in the Planning Policy Framework that include the letter ‘L’ in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered ‘11.01-1L’ would be an example of a local provision in the Planning Policy Framework. ‘C1Z’ is an example of a code on a map that may be specified in the schedule to this clause. It stands for ‘Commercial 1 Zone’.
SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

- Maps No. 1, 1HO, 1DDO, 1SBO, 1PAO, 1EAO
- Maps No. 2, 2SLO, 2ESO, 2HO, 2DDO, 2DPO, 2SLIO, 2SBO, 2PAO, 2EAO
- Maps No. 3, 3SLO, 3ESO, 3HO, 3DPO, 3DDO, 3LSIO, 3SBO, 3PAO, 3EAO
- Maps No. 4, 4SLO, 4ESO, 4HO, 4DPO, 4DDO, 4LSIO, 4PAO, 4EAO
- Maps No. 5, 5HO, 5DPO, 5DDO, 5EAO
- Maps No. 6, 6SLO, 6HO, 6DPO, 6DDO, 6IPO, 6LSIO, 6SBO, 6PAO, 6EAO, 6PO
- Maps No. 7, 7SLO, 7DPO, 7DDO, 7LSIO, 7SBO, 7PAO, 7HO, 7EAO
- Maps No. 8, 8SLO, 8HO, 8DDO, 8LSIO, 8SBO, 8EAO, 8CLPO, 8SCO
- Maps No. 9, 9SLO9, 9HO, 9DPO, 9DDO, 9LSIO, 9PAO, 9EAO, 9CLPO
DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the Planning and Environment Act 1987.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
</tr>
<tr>
<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
<td>VC26</td>
</tr>
<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
</tr>
<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
</tr>
<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
</tr>
<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
</tr>
<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
</tr>
<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
</tr>
<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
</tr>
<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
</tr>
<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
</tr>
<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
</tr>
<tr>
<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
</tr>
<tr>
<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
<td>VC12</td>
</tr>
<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<td>VC139</td>
</tr>
<tr>
<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
<td>VC132</td>
</tr>
<tr>
<td>Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)</td>
<td>VC151</td>
</tr>
<tr>
<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
</tr>
<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
</tr>
<tr>
<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
</tbody>
</table>
### Incorporated documents

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-15 Mayfield Street, Abbotsford, Incorporated Document, October, 2018</td>
<td>C188</td>
</tr>
<tr>
<td>10 Bromham Place, Richmond Incorporated Document, February 2013</td>
<td>C171</td>
</tr>
<tr>
<td>18-62 Trenerry Crescent, Abbotsford (Incorporated Plan, May 2018)</td>
<td>C218</td>
</tr>
<tr>
<td>32-68 Mollison Street and 61-69 William Street, Abbotsford July 2013</td>
<td>C170</td>
</tr>
<tr>
<td>351-353 Church Street, Richmond – Incorporated Document, February 2019</td>
<td>C225</td>
</tr>
<tr>
<td>520 Victoria Street, 2A Burnley Street, and 2 – 30 Burnley Street, Richmond, Burnley Street West Precinct - Incorporated Plan, 2012</td>
<td>C150</td>
</tr>
<tr>
<td>Amcor Alphington Paper Mill Site Preparation – Incorporated Document, September 2012</td>
<td>C161</td>
</tr>
<tr>
<td>Atherton Gardens – Fitzroy, September 2010</td>
<td>C136</td>
</tr>
<tr>
<td>Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016</td>
<td>GC37</td>
</tr>
<tr>
<td>Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)</td>
<td>GC80</td>
</tr>
<tr>
<td>City of Yarra Review of Heritage Overlay Areas 2007 Appendix 8, revised September 2019</td>
<td>C267yara</td>
</tr>
<tr>
<td>Cremorne Balmain Dover Street Project</td>
<td>NPS1</td>
</tr>
<tr>
<td>Crown Land Car Park Works, Burnley, August 2005</td>
<td>C92</td>
</tr>
<tr>
<td>Fitzroy Former Gasworks Site, Incorporated Document, February 2018</td>
<td>C242</td>
</tr>
<tr>
<td>Flying Fox Campsite, Yarra Bend Park, December 2004</td>
<td>C90</td>
</tr>
<tr>
<td>Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017</td>
<td>GC60</td>
</tr>
<tr>
<td>Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014</td>
<td>C178</td>
</tr>
<tr>
<td>Local Policy “Protection of Biodiversity” Sites of Remnant Vegetation (Biosis 2001)</td>
<td>C49</td>
</tr>
<tr>
<td>M1 Redevelopment Project, October 2006</td>
<td>C86</td>
</tr>
<tr>
<td>Melbourne City Link Project – Advertising Sign Locations, November 2003</td>
<td>VC20</td>
</tr>
<tr>
<td>Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007</td>
<td>C101</td>
</tr>
<tr>
<td>Richmond Walk Up Estate Redevelopment, September 2010</td>
<td>C136</td>
</tr>
<tr>
<td>Social housing redevelopment; Atherton Gardens Estate, Fitzroy, and Richmond Public Housing Estate, Richmond, for which the Minister for Planning is the Responsible Authority, May 2010</td>
<td>C135</td>
</tr>
<tr>
<td>Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford</td>
<td>C56</td>
</tr>
<tr>
<td>Swan Street Works, Burnley, June 2005</td>
<td>C91</td>
</tr>
<tr>
<td>Tramway Infrastructure Upgrades Incorporated Document, May 2017</td>
<td>GC68</td>
</tr>
<tr>
<td>Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area</td>
<td>C7</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Victoria Gardens Urban Design Guidelines</td>
<td>NPS1</td>
</tr>
<tr>
<td>Victorian Institute of Forensic Psychiatry Concept Plan (January 1997)</td>
<td>NPS1</td>
</tr>
<tr>
<td>Yarra Gardens Precinct Plan, December 2009</td>
<td>C128</td>
</tr>
</tbody>
</table>
WHEN DID THIS PLANNING SCHEME BEGIN?

This planning scheme began on the date specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0

Date this planning scheme began:

27 May 1999
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents. The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

A background document may be referenced elsewhere in this planning scheme without being listed in the table or schedule to this clause.

Table to Clause 72.08

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Highlands Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Gippsland Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Great South Coast Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Hume Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
</tbody>
</table>
## SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

### Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or

- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
GENERAL TERMS

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act</td>
<td>The <em>Planning and Environment Act 1987</em>.</td>
</tr>
<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><strong>General term</strong></td>
<td><strong>Definition</strong></td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Gaming machine</td>
<td>Has the same meaning as it has in the Gambling Regulation Act 2003.</td>
</tr>
<tr>
<td>Garden area</td>
<td>Any area on a lot with a minimum dimension of 1 metre that does not include:</td>
</tr>
<tr>
<td></td>
<td>a) a dwelling or residential building, except for:</td>
</tr>
<tr>
<td></td>
<td>- an eave, fascia or gutter that does not exceed a total width of 600mm;</td>
</tr>
<tr>
<td></td>
<td>- a pergola;</td>
</tr>
<tr>
<td></td>
<td>- unroofed terraces, patios, decks, steps or landings less than 800mm in</td>
</tr>
<tr>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>metres;</td>
</tr>
<tr>
<td></td>
<td>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;</td>
</tr>
<tr>
<td></td>
<td>c) an area set aside for car parking.</td>
</tr>
<tr>
<td>Geelong G21 region</td>
<td>The area covered by the Colac Otway, Golden Plains, Greater Geelong,</td>
</tr>
<tr>
<td></td>
<td>Queenscliff and Surf Coast planning schemes.</td>
</tr>
<tr>
<td>Gippsland region</td>
<td>The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South</td>
</tr>
<tr>
<td></td>
<td>Gippsland and Wellington planning schemes.</td>
</tr>
<tr>
<td>Great South Coast</td>
<td>The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians</td>
</tr>
<tr>
<td>region</td>
<td>and Warrnambool planning schemes.</td>
</tr>
<tr>
<td>Gross floor area</td>
<td>The total floor area of a building, measured from the outside of external</td>
</tr>
<tr>
<td></td>
<td>walls or the centre of party walls, and includes all roofed areas.</td>
</tr>
<tr>
<td>Ground level</td>
<td>The natural level of a site at any point.</td>
</tr>
<tr>
<td>Habitable room</td>
<td>Any room of a dwelling or residential building other than a bathroom, laundry,</td>
</tr>
<tr>
<td></td>
<td>toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic</td>
</tr>
<tr>
<td></td>
<td>darkroom, clothes drying room and other space of a specialised nature</td>
</tr>
<tr>
<td></td>
<td>occupied neither frequently nor for extended periods.</td>
</tr>
<tr>
<td>High quality productive</td>
<td>Land which is used for animal husbandry or crop raising, and is capable of</td>
</tr>
<tr>
<td>agricultural land</td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>type, growing season, and availability of infrastructure, and is of</td>
</tr>
<tr>
<td></td>
<td>sufficient extent to support agricultural activities on an economically</td>
</tr>
<tr>
<td></td>
<td>viable scale; or</td>
</tr>
<tr>
<td></td>
<td>b) has been identified through a regional, sub-regional, or local study as</td>
</tr>
<tr>
<td></td>
<td>being of particularly good quality and strategic significance for</td>
</tr>
<tr>
<td></td>
<td>agriculture in the regional or local context.</td>
</tr>
<tr>
<td>Hume region</td>
<td>The area covered by the Alpine, Benalla, Greater Shepparton, Indigo,</td>
</tr>
<tr>
<td></td>
<td>Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong,</td>
</tr>
<tr>
<td></td>
<td>Wangaratta and Wodonga planning schemes.</td>
</tr>
<tr>
<td>Land capability assessment</td>
<td>The assessment of the physical ability of the land to sustain specific uses</td>
</tr>
<tr>
<td></td>
<td>having regard to its management, and without long term on-site detriment</td>
</tr>
<tr>
<td></td>
<td>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>
</tbody>
</table>

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YARRA PLANNING SCHEME
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<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:</td>
</tr>
<tr>
<td></td>
<td>a) with antenna, more than 14 metres above the ground;</td>
</tr>
<tr>
<td></td>
<td>b) if attached to a building, with antenna, more than 5 metres above the roof line;</td>
</tr>
<tr>
<td></td>
<td>c) including antenna, wider than 6 metres; or</td>
</tr>
<tr>
<td></td>
<td>d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.</td>
</tr>
<tr>
<td>Retail</td>
<td>The sale of goods or materials, in any quantity or manner, other than by wholesale.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.</td>
</tr>
<tr>
<td>Setback</td>
<td>The minimum distance from any allotment boundary to a building.</td>
</tr>
<tr>
<td>Sexual services</td>
<td>Has the same meaning as it has in the <em>Sex Work Act 1994</em>.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.</td>
</tr>
<tr>
<td>Storey</td>
<td>That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>The use of farming practices and systems which maintain or enhance:</td>
</tr>
<tr>
<td></td>
<td>a) the economic viability of agricultural production;</td>
</tr>
<tr>
<td></td>
<td>b) the natural resource base; and</td>
</tr>
<tr>
<td></td>
<td>c) other ecosystems which are influenced by agricultural activities.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Telecommunications line</td>
<td>A wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy.</td>
</tr>
<tr>
<td>Telecommunications network</td>
<td>A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.</td>
</tr>
<tr>
<td>Telecommunications tower</td>
<td>A tower, pole or mast used as part of a Telecommunications network.</td>
</tr>
<tr>
<td>Tenement</td>
<td>Land comprised in:</td>
</tr>
<tr>
<td></td>
<td>a) a lot which does not adjoin another lot in the same ownership; or</td>
</tr>
<tr>
<td></td>
<td>b) lots in the same ownership and which adjoin each other.</td>
</tr>
<tr>
<td></td>
<td>Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.</td>
</tr>
<tr>
<td>Utility service provider</td>
<td>A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services.</td>
</tr>
<tr>
<td>Verge</td>
<td>The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting.</td>
</tr>
<tr>
<td>Wall height</td>
<td>The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.</td>
</tr>
<tr>
<td>Wholesale</td>
<td>The sale of goods or materials, to be sold by others.</td>
</tr>
<tr>
<td>Wimmera Southern Mallee region</td>
<td>The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.</td>
</tr>
</tbody>
</table>
## SIGN TERMS

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.</td>
</tr>
<tr>
<td>Display area</td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td>Animated sign</td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td>Bed and breakfast sign</td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td>Bunting sign</td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td>Major promotion sign</td>
<td>A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Panel sign</td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
</tbody>
</table>
| Pole sign                        | A sign:                                                                                              
<p>|                                  | a) on a pole or pylon that is not part of a building or another structure;                           |
|                                  | b) that is no more than 7 metres above the ground;                                                    |</p>
<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>Abattoir</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td></td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accommodation</td>
<td>Accommodation</td>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land used to accommodate persons.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td></td>
</tr>
<tr>
<td>----------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Land used to sell or hire sexually explicit material, including:</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) publications classified as restricted under the <em>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</em>; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal husbandry</td>
<td>Land used to:</td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Aquaculture</td>
<td>a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;</td>
<td>Aquaculture</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td>b) keep, breed, board, or train animals, including livestock, and birds; or</td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Amusement park</td>
<td>A building that contains:</td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>a) three or more coin, card, or token operated amusement machines;</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</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 more than one screen or console that can be played by three or more people simultaneously; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) two or more coin, card, or token operated billiard, snooker, or pool tables.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a 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>Animal production</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Apiculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Racing dog husbandry</td>
<td></td>
</tr>
<tr>
<td>Animal production</td>
<td>Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.</td>
<td>Grazing animal production</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry hatchery</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals, other than domestic animals, horses, or racing dogs.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Apiculture</td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive products.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.</td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td>Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Bar</td>
<td>Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Beauty salon</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Boat and caravan</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Boat launching</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>facility</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td></td>
<td>Poultry farm</td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business’s premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Camping and caravan</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>park</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Carnival</td>
<td>Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles. It may include charging of electric vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car sales</td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td>Service industry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td>Land used to dispose of human remains by burial. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Land used to care for five or more children who are not permanently resident on the land.</td>
<td>Kindergarten</td>
<td>Education centre</td>
</tr>
<tr>
<td>Cinema</td>
<td>Land used to provide screen based entertainment or information to the public.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Circus</td>
<td>Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Land used only to display goods.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Land used to provide accommodation and care services. It includes permanent, temporary</td>
<td></td>
<td>Residential building</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Conference centre</td>
<td>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>Function centre</td>
<td>Convenience shop</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>Function centre</td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td>Shop</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>Accommodation</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>
<tr>
<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>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>Dog breeding</td>
<td>One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.</td>
<td></td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Display home centre</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Domestic animal boarding</td>
<td>Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.</td>
<td>Dog breeding</td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Land used to keep, breed, board or train domestic animals.</td>
<td>Domestic animal boarding</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td></td>
<td>Service industry</td>
</tr>
<tr>
<td>Dry cleaning agent</td>
<td>Land used to arrange for professional cleaning or laundring of clothing or household articles 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</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment training centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tertiary institution</td>
<td></td>
</tr>
<tr>
<td>Earth and energy resources industry</td>
<td>Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.</td>
<td>Greenhouse gas sequestration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas sequestration</td>
<td></td>
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<td></td>
<td>Geothermal energy exploration</td>
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<td></td>
<td>Geothermal energy extraction</td>
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<tr>
<td>Land use term</td>
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<td>Mineral exploration</td>
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<td>Mineral extraction</td>
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<tr>
<td>Petroleum exploration</td>
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<tr>
<td>Petroleum extraction</td>
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<tr>
<td>Stone exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td></td>
<td></td>
<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></td>
<td>Office</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td></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></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Bar</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.</td>
<td>Convenience restaurant</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Take away food premises</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
<td></td>
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<tr>
<td>Museum</td>
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</tr>
<tr>
<td>Freezing and cool storage</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Warehouse</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td>Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.</td>
<td>Conference centre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.</td>
<td>Betting agency</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gaming premises</td>
<td></td>
</tr>
<tr>
<td>Gaming premises</td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Geothermal energy 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>
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<td>Land use term</td>
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<tr>
<td></td>
<td>• emergency, seasonal and supplementary feeding;</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>• the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.</td>
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<tr>
<td>In this definition:</td>
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<tr>
<td></td>
<td>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;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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;</td>
<td></td>
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<tr>
<td></td>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad,</td>
<td></td>
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</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Heliport</td>
<td>An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.</td>
<td>Transport terminal</td>
<td></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>Animal husbandry</td>
</tr>
<tr>
<td>Horse riding school</td>
<td></td>
<td>Horse husbandry</td>
<td></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; b) materials recycling; c) refuse disposal; d) transfer station.</td>
<td>Materials recycling Refuse disposal Transfer station</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>b) dismantling or breaking up of any article;</td>
<td></td>
<td>Research and development centre</td>
<td></td>
</tr>
<tr>
<td>c) treating waste materials;</td>
<td></td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</td>
<td></td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>f) any process of testing or analysis.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>If on the same land as any of these operations, it also includes:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) storing goods used in the operation or resulting from it;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) providing amenities for people engaged in the operation;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) selling by wholesale, goods resulting from the operation; and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) accounting or administration in connection with the operation.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</td>
<td></td>
<td></td>
<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></td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Intensive animal production</td>
<td>Land used for animal production where the animals’ food is imported from outside the immediate building, enclosure, paddock or pen. It does not include: an abattoir or sale yard; or grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td>Cattle feedlot</td>
<td>Animal production</td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td>Intensive dairy farm</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<tr>
<td>Kindergarten</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.</td>
<td>Garden supplies, Plant nursery</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Laundromat</td>
<td>Land used to clean or launder clothing or household items using self-service machines.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility, Minor sports and recreation facility, Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td></td>
<td>Fuel depot</td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.</td>
<td>Race course, Leisure and recreation</td>
<td></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>
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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>
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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></td>
<td></td>
<td></td>
</tr>
<tr>
<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>
<td></td>
</tr>
<tr>
<td><strong>Mooring pole</strong></td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.</td>
<td><strong>Marina</strong></td>
<td>Residential hotel</td>
</tr>
<tr>
<td><strong>Motor racing track</strong></td>
<td>Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.</td>
<td></td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td><strong>Motor repairs</strong></td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td><strong>Panel beating</strong></td>
<td>Service industry</td>
</tr>
<tr>
<td><strong>Motor vehicle, boat, or caravan sales</strong></td>
<td>Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.</td>
<td><strong>Car sales</strong></td>
<td>Retail premises</td>
</tr>
<tr>
<td><strong>Museum</strong></td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td><strong>Natural systems</strong></td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Nightclub</strong></td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank, Electoral office, Medical centre, Real estate agency, Travel agency</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.</td>
<td>Amusement park, Golf course, Golf driving range, Paintball games facility, Zoo</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Paintball games facility</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Panel beating</td>
<td>Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.</td>
<td></td>
<td>Motor repairs</td>
</tr>
<tr>
<td>Party supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration in accordance with the Petroleum Act 1998.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td>Land used for petroleum extraction in accordance with the Petroleum Act 1998.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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</tr>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</td>
<td>Amusement parlour, Carnival, Cinema, Cinema-based entertainment facility, Circus, Drive-in theatre, Exhibition centre, Function centre, Hall, Library, Nightclub, Place of worship, Restricted place of assembly</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td>Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Plant nursery</td>
<td>Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Land used to keep or breed poultry.</td>
<td>Broiler farm</td>
<td>Animal production</td>
</tr>
<tr>
<td>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>
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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>Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reception centre</td>
<td>Function centre</td>
<td></td>
<td></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>
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</tr>
<tr>
<td>Residential aged care facility</td>
<td>Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential building</td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
</tbody>
</table>
| Restaurant                    | Land used to prepare and sell food and drink, for consumption on the premises. It may include:  
  a) entertainment and dancing; and  
  b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time.  
  It does not include the sale of packaged liquor.                                                                                     |                              | Food and drink premises            |
<p>| Restricted place of assembly  | Land used by members of a club or group, or by members' guests, for religious or cultural activities, entertainment, or meetings. It may                                                           |                              | Place of assembly                   |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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>Minor sports and recreation facility</td>
<td></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 Party supplies | Shop                      |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
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</thead>
<tbody>
<tr>
<td>Included in</td>
<td></td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Includes</td>
<td></td>
<td>Gaming premises</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td></td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Market</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to:</td>
<td>a) sell goods by retail, or by retail and wholesale;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) sell services; or</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>c) hire goods.</td>
<td></td>
</tr>
<tr>
<td>Retirement village</td>
<td>Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Road freight terminal</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Land used for a rooming house as defined in the Residential Tenancies Act 1997.</td>
<td>Residential building</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td>Land used to:</td>
<td>a) handle, treat, process, or pack agricultural produce;</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) service or repair plant, or equipment, used in agriculture; or</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>c) manufacture mud bricks.</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td>Land used to store unprocessed agricultural produce, or products used in agriculture.</td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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</tr>
<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>
</tbody>
</table>
| Service station      | 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. | Dry cleaner               |                      |
|                      |                                                                                                                                                                                                          | Motor repairs             |                      |
| Shipping container   | Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.                                                                                           |                           | Store               |
| storage              |                                                                                                                                                                                                          |                           |                      |
| 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    | Retail premises          |
<p>|                      |                                                                                                                                                                                                          | Beauty salon              |                      |
|                      |                                                                                                                                                                                                          | Bottle shop               |                      |
|                      |                                                                                                                                                                                                          | Convenience shop          |                      |
|                      |                                                                                                                                                                                                          | Dry cleaning agent        |                      |
|                      |                                                                                                                                                                                                          | Department store          |                      |
|                      |                                                                                                                                                                                                          | Hairdresser               |                      |
|                      |                                                                                                                                                                                                          | Laundromat                |                      |
|                      |                                                                                                                                                                                                          | Restricted retail premises|                      |
|                      |                                                                                                                                                                                                          | Supermarket               |                      |
| 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>Boat launching facility</td>
<td></td>
</tr>
<tr>
<td>Solar energy facility</td>
<td>Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
<td>Fuel depot</td>
<td></td>
</tr>
</tbody>
</table>
| Stone exploration  | Land used to search for stone, including:  
  a) conducting geological, geophysical, and geochemical surveys;  
  b) costeaming and bulk sampling;  
  c) drilling; and  
  d) taking samples for chemical, physical, or other testing.                                                                                                                                                                                                                                             | Earth and energy resources industry |                                               |
<p>| Stone extraction   | Land used for the extraction or removal of stone in accordance with the Mineral Resources (Sustainable Development) Act 1990.                                                                                                                                                                                                                                         | Earth and energy resources industry |                                               |
| Store              | Land used to store goods, machinery, or vehicles.                                                                                                                                                                                                                                                                                                                  | Boat and caravan storage     | Warehouse                                     |
|                    |                                                                                                                                                                                                                                                                                                                                                                  | Freezing and cool storage    |                                               |
|                    |                                                                                                                                                                                                                                                                                                                                                                  | Rural store                  |                                               |
|                    |                                                                                                                                                                                                                                                                                                                                                                  | Shipping container storage   |                                               |
|                    |                                                                                                                                                                                                                                                                                                                                                                  | Vehicle store                |                                               |
| Supermarket        |                                                                                                                                                                                                                                                                                                                                                                  | Shop                          |                                               |
| Take away food premises | Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.                                                                                                                                                                                                                         | Food and drink premises      |                                               |
| Telecommunications facility | Land used to accommodate any part of the infrastructure of a Telecommunications network.                                                                                                                                                                                                                                                                         | Utility installation         |                                               |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tertiary institution</td>
<td>Education centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Timber yard</td>
<td>Includes land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Includes land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or h) local government, government departments or public institutions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td>Includes land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td>Includes land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Transport terminal</td>
<td>Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.</td>
<td>Airport</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bus terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heliport</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Railway station</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Road freight terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wharf</td>
<td></td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td>Data centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
<td>Reservoir</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
<td>Telecommunications facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) to collect, treat, transmit, store, or distribute water; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) to collect, treat, or dispose of storm or flood water, sewage, or 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></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) diagnose animal diseases or disorders;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) surgically or medically treat animals; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) prevent animal diseases or disorders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It may include keeping the animals on the premises for treatment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.</td>
<td>Commercial display area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>----------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Waste-to-energy facility</td>
<td>Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.</td>
<td></td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td></td>
<td>Minor utility installation</td>
</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
<td></td>
<td>Transport terminal</td>
</tr>
</tbody>
</table>
| Wind energy facility       | Land used to generate electricity by wind force. It includes land used for:  
  a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force  
  b) an anemometer.  
  It does not include turbines principally used to supply electricity for domestic or rural use of the land.                                                                                                                                  |                      | Renewable energy facility       |
| Winery                     | 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.                                                                                                           |                      | Outdoor recreation facility     |
| Zoo                        |                                                                                                                                                                                                                                                                                                                                                                                                       |                      |                                 |
NESTING DIAGRAMS

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

Accommodation group

- Camping and caravan park
- Corrective institution
- Dependent person’s unit
- Bed and breakfast
- Dwelling
- Caretaker’s house
- Group accommodation
- Host farm
- Residential aged care facility
- Community care accommodation
- Residential building
- Residential hotel
- Motel
- Residential village
- Rooming house
- Retirement village
Agriculture group (sub-group of Animal production)

- Agriculture
- Animal husbandry
- Animal production
- Intensive animal production
- Cattle feedlot
  - Intensive dairy farm
  - Pig farm
  - Poultry farm
  - Broiler farm
  - Poultry hatchery

Education centre group

- Child care centre
- Kindergarten
  - Employment training centre
  - Primary school
  - Secondary school
  - Tertiary institution
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
73.04-11 Retail premises group

- Bar
- Convenience restaurant
- Hotel
- Restaurant
- Take away food premises
- Betting agency
- Gaming premises
- Garden supplies
- Plant nursery
- Manufacturing sales
- Market
- Motor vehicle, boat, or caravan sales
- Car sales
- Postal agency
- Primary produce sales
- Shop
  - See separate diagram for the sub-group of Shop
- Trade supplies
- Timber yard
Retail premises group (sub-group of Shop)

- Adult sex product shop
- Beauty salon
- Bottle shop
- Convenience shop
- Dry cleaning agent
- Department store
- Hairdresser
- Laundromat

Restricted retail premises
- Equestrian supplies
- Party supplies

Supermarket
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf
73.04-15  Warehouse group

Commercial display area

Fuel depot

Solid fuel depot

Mail centre

Warehouse

Milk depot

Store

Boat and caravan storage

Freezing and cool storage

Rural store

Shipping container storage

Vehicle store
Land use terms that are not nested

Art and craft centre
Brothel
Car park
Cemetery
Crematorium
Display home centre
Emergency services facility
Freeway service centre
Funeral parlour
Helicopter landing site
Home based business
Hospital
Natural systems
Research centre
Saleyard
Service station
Sign
Tramway
Veterinary centre
Winery
APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.
FURTHER STRATEGIC WORK

The schedule to this clause may specify the planning authority’s approach to further strategic work. A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.