

# CONTENTS

25 MAY 2017

Section	Clause	
		<b>Preliminary</b>
		<b>User guide</b>
		<b>Contents</b>
<b>STATE PLANNING POLICY FRAMEWORK</b>	<b>9</b>	<b>Plan Melbourne</b>
	9.01	Plan Melbourne interpretation
	<b>10</b>	<b>Operation of the State Planning Policy Framework</b>
	10.01	Purpose
	10.02	Goal
	10.03	Application
	10.04	Integrated decision making
	10.05	Structure
	<b>11</b>	<b>Settlement</b>
	<b>11.01</b>	<b>Victoria</b>
	11.01-1	Settlement networks
	11.01-2	Victoria Settlement Framework
	<b>11.02</b>	<b>Urban growth</b>
	11.02-1	Supply of urban land
	11.02-2	Structure planning
	11.02-3	Planning for growth areas
	11.02-4	Sequencing of development
	<b>11.03</b>	<b>Activity centres</b>
	11.03-1	Activity centre network
	11.03-2	Activity centre planning
	<b>11.04</b>	<b>Open space</b>
	11.04-1	Open space planning
	11.04-2	Open space management
	<b>11.05</b>	<b>Planning for distinctive areas and landscapes</b>
	11.05-1	Coastal settlement
	11.05-2	Distinctive areas of state significance
	<b>11.07</b>	<b>Regional Victoria</b>
	11.07-1	Regional planning
	11.07-2	Peri-urban areas
	<b>11.12</b>	<b>Hume</b>
	11.12-1	A diversified economy
	11.12-2	Environmental assets
	11.12-3	Planning for growth
	11.12-4	Infrastructure
	11.12-5	Hume Regional Growth Plan

Section	Clause
	<b>12 Environmental and landscape values</b>
	<b>12.01 Biodiversity</b>
	12.01-1 Protection of biodiversity
	12.01-2 Native vegetation management
	<b>12.02 Coastal areas</b>
	12.02-1 Protection of coastal areas
	12.02-2 Appropriate development of coastal areas
	12.02-3 Coastal Crown land
	12.02-4 Coastal tourism
	12.02-5 Bays
	12.02-6 The Great Ocean Road region
	<b>12.03 Alpine areas</b>
	12.03-1 Framework for planning alpine resorts
	12.03-2 Sustainable development in alpine areas
	<b>12.04 Significant environments and landscapes</b>
	12.04-1 Environmentally sensitive areas
	12.04-2 Landscapes
	<b>13 Environmental risks</b>
	<b>13.01 Climate change impacts</b>
	13.01-1 Coastal inundation and erosion
	<b>13.02 Floodplains</b>
	13.02-1 Floodplain management
	<b>13.03 Soil degradation</b>
	13.03-1 Use of contaminated and potentially contaminated land
	13.03-2 Erosion and landslip
	13.03-3 Salinity
	<b>13.04 Noise and air</b>
	13.04-1 Noise abatement
	13.04-2 Air quality
	<b>13.05 Bushfire</b>
	13.05-1 Bushfire planning strategies and principles
	<b>14 Natural resource management</b>
	<b>14.01 Agriculture</b>
	14.01-1 Protection of agricultural land
	14.01-2 Sustainable agricultural land use
	14.01-3 Forestry and timber production
	<b>14.02 Water</b>
	14.02-1 Catchment planning and management
	14.02-2 Water quality
	14.02-3 Water conservation
	<b>14.03 Resource exploration and extraction</b>
	<b>15 Built Environment and heritage</b>

Section	Clause
	<b>15.01 Urban environment</b>
	15.01-1 Urban design
	15.01-2 Urban design principles
	15.01-3 Neighbourhood and subdivision design
	15.01-4 Design for safety
	15.01-5 Cultural identity and neighbourhood character
	<b>15.02 Sustainable development</b>
	15.02-1 Energy and resource efficiency
	<b>15.03 Heritage</b>
	15.03-1 Heritage conservation
	15.03-2 Aboriginal cultural heritage
	<b>16 Housing</b>
	<b>16.01 Residential development</b>
	16.01-1 Integrated housing
	16.01-2 Location of residential development
	16.01-3 Housing opportunity areas
	16.01-4 Housing diversity
	16.01-5 Housing affordability
	<b>16.02 Housing form</b>
	16.02-1 Rural residential development
	16.02-2 Crisis accommodation and community care units
	16.02-3 Residential aged care facilities
	16.02-4 Design and location of residential aged care facilities
	<b>17 Economic development</b>
	<b>17.01 Commercial</b>
	17.01-1 Business
	17.01-2 Out-of-centre development
	<b>17.02 Industry</b>
	17.02-1 Industrial land development
	17.02-2 Design of industrial development
	17.02-3 State significant industrial land
	17.02-4 Innovation and research
	<b>17.03 Tourism</b>
	17.03-1 Facilitating tourism
	17.03-2 Tourism in Metropolitan Melbourne
	17.03-3 Maritime Precincts
	<b>18 Transport</b>
	<b>18.01 Integrated transport</b>
	18.01-1 Land use and transport planning
	18.01-2 Transport system
	<b>18.02 Movement networks</b>
	18.02-1 Sustainable personal transport

Section	Clause	
	18.02-2	Cycling
	18.02-3	Principal Public Transport Network
	18.02-4	Management of the road system
	18.02-5	Car parking
	<b>18.03</b>	<b>Ports</b>
	18.03-1	Planning for ports
	18.03-2	Planning for port environs
	<b>18.04</b>	<b>Airports</b>
	18.04-1	Melbourne Airport
	18.04-2	Planning for airports
	18.04-3	Planning for airfields
	<b>18.05</b>	<b>Freight</b>
	18.05-1	Develop freight links
	<b>19</b>	<b>Infrastructure</b>
	<b>19.01</b>	<b>Renewable energy</b>
	19.01-1	Provision of renewable energy
	<b>19.02</b>	<b>Community infrastructure</b>
	19.02-1	Health facilities
	19.02-2	Education facilities
	19.02-3	Cultural facilities
	19.02-4	Distribution of social and cultural infrastructure
	<b>19.03</b>	<b>Development infrastructure</b>
	19.03-1	Development contribution plans
	19.03-2	Water supply, sewage and drainage
	19.03-3	Stormwater
	19.03-4	Telecommunications
	19.03-5	Waste and resource recovery
	19.03-6	Pipeline infrastructure
	19.03-7	Survey infrastructure
<b>LOCAL PLANNING POLICY FRAMEWORK</b>	<b>20</b>	<b>Operation of the Local Planning Policy Framework</b>
	<b>21</b>	<b>Municipal Strategic Statement</b>
	21.01	Benalla Rural City
	21.02	Settlement, Housing and Character
	21.03	Environment, Landscape and Heritage Values
	21.04	Environmental Risks
	21.05	Natural Resource Management
	21.06	Economic Development
	21.07	Transport and Infrastructure
	21.08	Local Areas
	21.09	Infrastructure
	21.10	Reference Documents

Section	Clause	
	<b>22</b>	<b>Local Planning Policies</b>
	22.01	Gaming
<b>ZONES</b>	<b>30</b>	<b>Zones</b>
	<b>31</b>	<b>Operation of zones</b>
	31.01	Section 1, 2 and 3 Uses
	<b>32</b>	<b>Residential Zones</b>
	32.03	Low Density Residential Zone
	32.04	Mixed Use Zone
	32.05	Township Zone
	32.08	General Residential Zone
	<b>33</b>	<b>Industrial Zones</b>
	33.01	Industrial 1 Zone
	33.02	<b>Industrial 2 Zone</b>
	<b>34</b>	<b>Commercial Zones</b>
	34.01	Commercial 1 Zone
	34.02	Commercial 2 Zone
	<b>35</b>	<b>Rural Zones</b>
	35.03	Rural Living Zone
	35.06	Rural Conservation Zone
	35.07	Farming Zone
	<b>36</b>	<b>Public Land Zones</b>
	36.01	Public Use Zone
	36.02	Public Park and Recreation Zone
	36.03	Public Conservation and Resource Zone
	36.04	Road Zone
	<b>37</b>	<b>Special Purpose Zones</b>
	37.01	Special Use Zone
	37.03	Urban Floodway Zone
<b>OVERLAYS</b>	<b>40</b>	<b>Overlays</b>
	<b>41</b>	<b>Operation of overlays</b>
	<b>42</b>	<b>Environment and Landscape Overlays</b>
	42.01	Environmental Significance Overlay
	42.02	Vegetation Protection Overlay
	42.03	Significant Landscape Overlay
	<b>43</b>	<b>Heritage and Built Form Overlays</b>
	43.01	Heritage Overlay
	43.02	Design and Development Overlay
	<b>44</b>	<b>Land Management Overlays</b>
	44.03	Floodway Overlay
	44.04	Land Subject to Inundation Overlay
	44.06	Bushfire Management Overlay
	<b>45</b>	<b>Other Overlays</b>

Section	Clause	
	45.03	Environmental Audit Overlay
	45.09	Parking Overlay
<b>PARTICULAR PROVISIONS</b>	<b>50</b>	<b>Particular provisions</b>
	<b>51</b>	<b>Operation of particular provisions</b>
	52	[no content]
	52.01	Public open space contribution and subdivision
	52.02	Easements, restrictions and reserves
	52.03	Specific sites and exclusions
	52.04	Satellite dish
	52.05	Advertising signs
	52.06	Car parking
	52.07	Loading and unloading of vehicles
	52.08	Earth and energy resources industry
	52.09	Stone extraction and extractive industry interest areas
	52.10	Uses with adverse amenity potential
	52.11	Home occupation
	52.12	Service station
	52.13	Car wash
	52.14	Motor vehicle, boat or caravan sales
	52.15	Heliport and helicopter landing site
	52.16	Native vegetation precinct plan
	52.17	Native vegetation
	52.18	Timber production
	52.19	Telecommunications facility
	52.20	Convenience restaurant and take-away food premises
	52.21	Private tennis court
	52.22	Crisis accommodation
	52.23	Shared housing
	52.24	Community care unit
	52.25	Crematorium
	52.26	Cattle feedlot
	52.27	Licensed premises
	52.28	Gaming
	52.29	Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 road
	52.30	Freeway service centre
	52.31	Broiler farm
	52.32	Wind energy facility
	52.33	Shipping container storage
	52.34	Bicycle facilities
	52.35	[no content]
	52.36	Integrated public transport planning

Section	Clause
	52.37 Post boxes and dry stone walls
	52.38 2009 Bushfire recovery
	52.39 2009 Bushfire – replacement buildings
	52.40 [no content]
	52.41 [no content]
	52.42 Renewable energy facility (other than wind energy facility)
	52.43 Live music and entertainment noise
	52.44 Statement of underlying provisions
	52.45 Resource recovery
	52.46 Brothels
	52.47 Planning for bushfire
	52.48 Bushfire protection: Exemptions
<b>54</b>	<b>One dwelling on a lot</b>
	54.01 Neighbourhood and site description and design response
	54.02 Neighbourhood character
	54.03 Site layout and building massing
	54.04 Amenity impacts
	54.05 On-site amenity and facilities
	54.06 Detailed design
<b>55</b>	<b>Two or more dwellings on a lot and residential buildings</b>
	55.01 Neighbourhood and site description and design response
	55.02 Neighbourhood character and infrastructure
	55.03 Site layout and building massing
	55.04 Amenity impacts
	55.05 On-site amenity and facilities
	55.06 Detailed design
	55.07 Apartment Developments
<b>56</b>	<b>Residential subdivision</b>
	56.01 Subdivision site and context description and design response
	56.02 Policy implementation
	56.03 Livable and sustainable communities
	56.04 Lot design
	56.05 Urban landscape
	56.06 Access and mobility management
	56.07 Integrated water management
	56.08 Site management
	56.09 Utilities
<b>58</b>	<b>Apartment Developments</b>
	58.01 Urban Context Report and Design Response
	58.02 Urban Context

Section	Clause	
	58.03	Site Layout
	58.04	Amenity Impacts
	58.05	On-site Amenity and Facilities
	58.06	Detailed Design
	58.07	Internal Amenity
<b>GENERAL PROVISIONS</b>	<b>60</b>	<b>General provisions</b>
	<b>61</b>	<b>Administration of this scheme</b>
	61.01	Administration and enforcement of this scheme
	61.02	What area is covered by this scheme?
	61.03	What does this scheme consist of?
	61.04	When did this scheme begin?
	61.05	Effect of this scheme
	61.06	Determination of boundaries
	<b>62</b>	<b>Uses, buildings, works, subdivisions and demolition not requiring a permit</b>
	62.01	Uses not requiring a permit
	62.02	Buildings and works
	62.03	Events on public land
	62.04	Subdivisions not requiring a permit
	62.05	Demolition
	<b>63</b>	<b>Existing uses</b>
	63.01	Extent of existing use rights
	63.02	Characterisation of use
	63.03	Effect of definitions on existing use rights
	63.04	Section 1 uses
	63.05	Section 2 and 3 uses
	63.06	Expiration of existing use rights
	63.07	Compliance with codes of practice
	63.08	Alternative use
	63.09	Shop conditions
	63.10	Damaged or destroyed buildings or works
	63.11	Proof of continuous use
	63.12	Decision guidelines
	<b>64</b>	<b>General provisions for use and development of land</b>
	64.01	Land used for more than one use
	64.02	Land used in conjunction with another use
	64.03	Subdivision of land in more than one zone
	<b>65</b>	<b>Decision guidelines</b>
	65.01	Approval of an application or plan
	65.02	Approval of an application to subdivide land
	<b>66</b>	<b>Referral and notice provisions</b>
	66.01	Subdivision referrals



<b>Section</b>	<b>Clause</b>	
	66.02	Use and development referrals
	66.03	Referral of permit applications under other State standard provisions
	66.04	Referral of permit applications under local provisions
	66.05	Notice of permit applications under State standard provisions
	66.06	Notice of permit applications under local provisions
	<b>67</b>	<b>Applications under Section 96 of the Act</b>
	67.01	Exemptions from Section 96(1) and 96(2) of the Act
	67.02	Notice requirements
	67.03	Notice requirements - native vegetation
	67.04	Notice exemption
<b>DEFINITIONS</b>	<b>70</b>	<b>Definitions</b>
	<b>71</b>	<b>Meaning of words</b>
	<b>72</b>	<b>General terms</b>
	<b>73</b>	<b>Outdoor advertising terms</b>
	<b>74</b>	<b>Land use terms</b>
	<b>75</b>	<b>Nesting diagrams</b>
	75.01	Accommodation group
	75.02	Agriculture group
	75.03	Child care centre group
	75.04	Education centre group
	75.05	Industry group
	75.06	Leisure and recreation group
	75.07	Earth and energy resources group
	75.08	Office Group
	75.09	Place of assembly group
	75.10	Pleasure boat facility group
	75.11	Retail premises group
	75.12	Retail premises group (sub-group of shop)
	75.13	Transport terminal group
	75.14	Utility installation group
	75.15	Warehouse group
	75.16	Renewable energy group
	75.17	Land use terms that are not nested
<b>INCORPORATED DOCUMENTS</b>	<b>80</b>	<b>Incorporated Documents</b>
	<b>81</b>	<b>Documents incorporated in this scheme</b>
	<b>81.01</b>	Table of documents incorporated in this scheme
<b>VICSMART PLANNING ASSESSMENT PROVISIONS</b>	<b>90</b>	<b>VicSmart Planning Assessment</b>
	<b>91</b>	<b>VicSmart planning applications and process</b>
	<b>92</b>	<b>State VicSmart applications</b>

Section	Clause
	<b>93 Information requirements and decision guidelines for State VicSmart applications</b>
	93.01 Realign the common boundary between two lots
	93.02 Subdivision of Buildings and Car Parking Spaces
	93.03 Front fence in a residential zone
	93.04 Buildings and works in a Zone (Except a Rural Zone)
	93.05 Buildings and works in an Overlay
	93.06 Remove, destroy or lop a tree
	93.07 Applications under a Heritage Overlay
	93.08 Applications under a Special Building Overlay
	93.09 Advertising sign
	93.10 Car parking
	93.11 Loading and unloading facilities
	93.12 Two Lot Subdivision in a Rural Zone
	93.13 Buildings and works in a Rural Zone
	<b>94 Local VicSmart applications</b>
	<b>95 Information requirements and decision guidelines for local VicSmart applications</b>
<b>LIST OF AMENDMENTS</b>	<b>List of amendments to this scheme</b>