

# CONTENTS

19 SEP 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>11.13</b> | <b>Loddon Mallee North</b>                              |
|  | 11.13-1      | Planning for growth                                     |
|  | 11.13-2      | A diversified economy                                   |
|  | 11.13-3      | Agricultural productivity                               |
|  | 11.13-4      | Environmental assets                                    |

| Section      | Clause  |   |
|--------------|---------|---|
|              | 11.13-5 | Sustainable communities                               |
|              | 11.13-6 | Networked settlements                                 |
|              | 11.13-7 | Community infrastructure                              |
|              | 11.13-8 | Integrated planning                                   |
|              | 11.13-9 | Loddon Mallee North Regional Growth Plan              |
| <b>12</b>    |         | <b>Environmental and landscape values</b>             |
| <b>12.01</b> |         | <b>Biodiversity</b>                                   |
|              | 12.01-1 | Protection of biodiversity                            |
|              | 12.01-2 | Native vegetation management                          |
| <b>12.02</b> |         | <b>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</b> |         | <b>Alpine areas</b>                                   |
|              | 12.03-1 | Framework for planning alpine resorts                 |
|              | 12.03-2 | Sustainable development in alpine areas               |
| <b>12.04</b> |         | <b>Significant environments and landscapes</b>        |
|              | 12.04-1 | Environmentally sensitive areas                       |
|              | 12.04-2 | Landscapes  |
| <b>13</b>    |         | <b>Environmental risks</b>                            |
| <b>13.01</b> |         | <b>Climate change impacts</b>                         |
|              | 13.01-1 | Coastal inundation and erosion                        |
| <b>13.02</b> |         | <b>Floodplains</b>                                    |
|              | 13.02-1 | Floodplain management                                 |
| <b>13.03</b> |         | <b>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</b> |         | <b>Noise and air</b>                                  |
|              | 13.04-1 | Noise abatement                                       |
|              | 13.04-2 | Air quality   |
| <b>13.05</b> |         | <b>Bushfire</b>                                       |
|              | 13.05-1 | Bushfire planning strategies and principles           |
| <b>14</b>    |         | <b>Natural resource management</b>                    |
| <b>14.01</b> |         | <b>Agriculture</b>                                    |
|              | 14.01-1 | Protection of agricultural land                       |
|              | 14.01-2 | Sustainable agricultural land use                     |
|              | 14.01-3 | Forestry and timber production                        |

| Section | Clause  |
|---------|---|
|         | <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>                        |
|         | <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                       |

| Section                                | Clause       |   |
|--|--------------|---|
|  | 17.03-3      | Maritime Precincts                                      |
|  | <b>18</b>    | <b>Transport</b>  |
|  | <b>18.01</b> | <b>Integrated transport</b>                             |
|  | 18.01-1      | Land use and transport planning                         |
|  | 18.01-2      | Transport system  |
|  | <b>18.02</b> | <b>Movement networks</b>                                |
|  | 18.02-1      | Sustainable personal transport                          |
|  | 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        | Gannawarra Shire Key Issues And Strategic Vision        |
|  | 21.02        | Settlement  |
|  | 21.03        | Environmental And Landscape Values                      |

| Section         | Clause    |   |
|-----------------|-----------|---|
|                 | 21.04     | Environmental Risks                       |
|                 | 21.05     | Natural Resource Management               |
|                 | 21.06     | Built Environment And Heritage            |
|                 | 21.07     | Housing                                   |
|                 | 21.08     | Economic Development                      |
|                 | 21.09     | Transport                                 |
|                 | 21.10     | Infrastructure                            |
|                 | 21.11     | Local Areas                               |
|                 | 21.12     | Reference Documents                       |
|                 | <b>22</b> | <b>Local Planning Policies</b>            |
|                 | 22.01     | Koondrook Heritage                        |
|                 | 22.02     | Building Siting and Height                |
|                 | 22.03     | Levee Banks                               |
| <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                         |
|                 | 33.03     | Industrial 3 Zone                         |
|                 | <b>34</b> | <b>Commercial Zones</b>                   |
|                 | 34.01     | Commercial 1 Zone                         |
|                 | 34.02     | Commercial 2 Zone                         |
|                 | <b>35</b> | <b>Rural Zones</b>                        |
|                 | 35.07     | 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>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             |
|                 | <b>43</b> | <b>Heritage and Built Form Overlays</b>   |
|                 | 43.01     | Heritage Overlay                          |

| Section                      | Clause    |   |
|------------------------------|-----------|---|
|                              | 43.02     | Design and Development Overlay                          |
|                              | 43.04     | Development Plan Overlay                                |
|                              | <b>44</b> | <b>Land Management Overlays</b>                         |
|                              | 44.03     | Floodway Overlay  |
|                              | 44.04     | Land Subject to Inundation Overlay                      |
|                              | <b>45</b> | <b>Other Overlays</b>                                   |
|                              | 45.01     | Public Acquisition Overlay                              |
|                              | 45.02     | Airport Environs Overlay                                |
|                              | 45.03     | Environmental Audit Overlay                             |
|                              | 45.05     | Restructure 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  |

| Section   | Clause  |
|-----------|---|
|           | 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  |
|           | 52.37 Post boxes and dry stone walls  |
|           | 52.38 2009 Bushfire recovery  |
|           | 52.39 2009 Bushfire – replacement buildings   |
|           | 52.40 Racing dog keeping and training   |
|           | 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 Liveable and sustainable communities  |

| Section                   | Clause    |   |
|---------------------------|-----------|---|
|                           | 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   |
|                           | 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   |



| Section            | Clause    |   |
|--------------------|-----------|---|
|                    | <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   |
|                    | 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   |

| Section  | Clause       |   |
|--|--------------|---|
|  | 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>  |
|  | <b>93</b>    | <b>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   |
|  | 93.14        | Extension to one dwelling on a lot in a Residential Zone                                |
|  | <b>94</b>    | <b>Local VicSmart applications</b>  |
|  | <b>95</b>    | <b>Information requirements and decision guidelines for local VicSmart applications</b> |
| <b>LIST OF AMENDMENTS</b>                      |              | <b>List of amendments to this scheme</b>  |