26 May 2016

The Hon Richard Wynne
Minister for Planning
Department Environment, Land Water and Planning
PO Box 500
Melbourne Vic 8002

Dear Minister,

Government Land Standing Advisory Committee

At the Ordinary Council Meeting on 24 May 2016 the Council considered a number of matters arising as a result of the proposed rezoning of former school sites in Hobsons Bay and resolved to make a submission.

While the Council understands the role of the Advisory Committee is limited, we are very concerned over the loss of education and teaching facilities in Hobsons Bay and will continue to advocate for the provision of education facilities particularly the need for VCE education in Altona.

The Council is concerned with the planning controls proposed for the former Altona Gate Primary School and Altona West Primary School sites and objects to the proposed changes. Given the work Council is undertaking to implement the reformed residential zones, it is considered premature to apply the Residential Growth Zone on the former Altona Gate Primary School site. This site should be rezoned to the General Residential Zone in line with the surrounding residential land.

In addition the use of the Development Plan Overlay in the absence of a detailed development plan that does not allow for third party appeal rights is not supported. The Council will be arguing that the application of a Design and Development Overlay is our preferred option as it maintains third party appeal rights and will provide greater certainty for our community on the future development of this site.
Attached is our submission which details the Council’s grounds for objection. If you would like to discuss this submission further please contact Kathleen McClusky, Manager Strategy and Advocacy on 9932 1004 or email kmcllusky@hobsonsbay.vic.gov.au.

Yours sincerely,

Chris Eddy
Chief Executive Officer
Hobsons Bay Submission to Fast Track Government Land Service – Surplus School Sites

May 2016
Acknowledgements

May 2016

This discussion paper was compiled by the Hobsons Bay Strategy and Advocacy Department. For further information contact the Hobsons Bay City Council on 9932 1000 www.hobsonsbay.vic.gov.au

Council acknowledges the people of Yalukit Wilum of the Boon Wurrung Country that makes up the Greater Kulin Nation as the traditional owners of these municipal lands.

Council acknowledges the legal responsibility to comply with the Charter of Human Rights and Responsibilities Act 2006 and the Equal Opportunity Act 2010. The Charter of Human Rights and Responsibilities is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.
Executive Summary

1. The Minister for Planning has appointed an independent Standing Advisory Committee to provide advice on the proposed rezoning of surplus government land. Council does not support the closure of educational facilities in Hobsons Bay, however to ensure that Council can influence the future planning controls on these sites this report has been prepared.

2. There are two remaining former school sites identified in Hobsons Bay as being surplus to educational requirements and subject to the Fast Track Government Land (FTGL) Service and these are:
   - Altona West Primary School (AWPS); 103a Grieve Parade Altona
   - Altona Gate Primary School (AGPS); 430-438 Blackshaws Road Altona North

3. The Victorian Government propose to rezone the two sites and apply a Development Plan Overlay (DPO). The proposed zone for the AWPS is the General Residential Zone (GRZ) while the proposed zone for AGPS is the Residential Growth Zone (RGZ). The proposed DPO applies to both sites and is the same.

4. This submission provides background to the FTGL Service in the context of two former school sites in Hobsons Bay; outlines the proposed amendment, explains the potential zones and overlays that could be used and contains a brief analysis of both sites. The submission then outlines Council’s preferred zoning and planning controls for both sites in context with an analysis reviewing access to activity centres, the availability of open space, community facilities, education facilities, public transport and the existing neighbourhood character.

5. It concludes that the GRZ, which allows for ‘incremental’ growth, is the most appropriate zone for both the former school sites as it best reflects the adjacent General Residential 1 and General Residential 2 Zones. The Design and Development Overlay (DDO) is considered the most appropriate overlay for the site as it allows for third party appeal rights. To ensure the protection of neighbourhood character and adjacent residential areas, schedules to the proposed zones and a DDO that includes front setbacks, landscaping, height controls and building materials are recommended.

6. The former school sites provide the opportunity to deliver affordable housing and Council will be seeking provision of affordable housing in accordance with Council’s Affordable Housing Policy Statement 2016 and the Victorian Government’s commitment to inclusionary zoning. Additionally, Council requires the completion of a Social Impact Assessment for applications of 20 or more dwellings and where community infrastructure gaps are identified Council will be seeking developer contributions to support the new communities. The inclusion of provisions relating to environmentally sustainable design and consideration of traffic impacts are also sought, along with an open space contribution.
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1.0 Introduction

7. The Department of Education and Training (DET) has a large portfolio of land considered surplus to the State Government's educational requirements. Prior to its sale, these sites require rezoning from a Public Use Zone (an education zone) to one of the three new residential zones. The Minister for Planning has appointed a Standing Advisory Committee under Section 151 of the Planning and Environment Act 1987 to deliver planning scheme changes for surplus government sites and to correct planning scheme anomalies in a streamlined and systematic approach. The State Government established the Fast Track Government Land (FTGL) Service to facilitate the rezoning of DET land.

8. Overall there are currently nine former school sites within Victoria that are being considered as part of the FTGL Service. As part of the process the Victorian Government is undertaking a formal Planning Scheme Amendment including exhibition of the proposed amendments. The FTGL Service is dealing with two school sites in Hobsons Bay being the former:

- Altona West Primary School (AWPS); 103a Grieve Parade Altona
- Altona Gate Primary School (AGPS): 430-438 Blackshaws Road Altona North

9. The former AWPS is located to the rear of the Altona P-9 College and along with the former AGPS has been declared surplus to the Victorian Government's educational purposes with both sites currently vacant. Although the closure of educational facilities in Hobsons Bay is not supported, there is no formal opportunity for Council to request either of the sites remain set aside for educational purposes. The Terms of Reference for the Standing Advisory Committee specify "it is outside the scope of the Standing Advisory Committee to review the decision that a subject site is surplus to government needs". Despite this, concern at the loss of education and teaching facilities in Hobsons Bay will be raised particularly the need for VCE education in Altona which could be accommodated on the former AWPS.

10. The purpose of the Advisory Committee is to advise the Minister for Planning on the suitability of changes to planning provisions for land owned by the Victorian Government. The key matters that the Advisory Committee are required to consider include:

- the suitability of the proposed land rezoning and planning controls
- the extent to which the proposed planning framework is responsive to any key issues on the site or within the local context
- all relevant documentation prepared for the Department of Environment, Land Water and Planning (DELWP) or otherwise provided to the Advisory Committee
- all submissions made in regard to the proposed planning controls

11. The proposed amendment is currently on exhibition and submissions must be received by Friday 27 May 2016 with public hearings scheduled mid to late June 2016. The Advisory Committee report is due to the Minister for Planning in August 2016.

12. This submission will undertake an analysis of both sites and review the proposed amendments. It also reviews the available zones and overlays and provides recommendations on the preferred zoning and planning controls for the land based on the context of each site.
2.0 Proposed Planning Controls

2.1 Background

13. The Victorian Government continually reviews its land holdings to determine sites that are surplus to current or future service delivery requirements and as a consequence sells this land to:
   
   - reinvest in new infrastructure
   - reduce the cost of government services and deliver more services
   - eliminate unnecessary expenditure on maintenance and security services
   - provide for renewal of sites no longer required

14. When a department identifies land that is surplus it is offered to all other Victorian Government departments and agencies as well as the Commonwealth Government and the relevant local government. Once it has been determined that there is no other government purchaser for future service delivery, the site is determined surplus to government requirements.

15. The Victorian Government identified four sites in Hobsons Bay that are surplus to government requirements. The sites are the former AGPS, Eastona Primary School, AWPS and Laverton Primary School. Council subsequently purchased the Laverton Primary School site. More recently, the DET indicated that the classification of the Eastona Primary School site as surplus to requirements was reviewed and is to be retained for education purposes. Council advocated strongly for this outcome. The former AWPS and AGPS sites remain surplus.

16. The two former school sites are currently zoned Public Use Zone 2 (PUZ2) which is for the purpose of Education. Public Use Zones, including PUZ2 are for public purposes and it is inappropriate for private land holdings to be zoned for such purpose. Consequently before they can be sold to the private sector must be rezoned to allow for private ownership.

17. The DET has prepared a planning scheme amendment to rezone the former school sites and apply various planning controls to guide development. These are discussed further in section 2.2.

18. To facilitate the rezoning process the Minister for Planning has established the FTGL Service and appointed a Standing Advisory Committee to consider the proposed planning controls.

19. The purpose of the Standing Advisory Committee is to advise the Minister for Planning on the suitability of changes to planning provisions for land owned by the Victorian Government. It is not open to the Standing Advisory Committee to consider the application of any public land zones on the sites unless requested by the DELWP. This includes the retention of the site for educational purposes.

20. Council will continue to advocate for improved educational services and the provision of educational facilities in Hobsons Bay particularly the lack of a P-12 school in Altona.
2.2 Proposed Amendment

2.2.1 Altona West Primary School

21. The former AWPS is located at 103a Grieve Parade, Altona. The DET proposes to rezone the site from PUZ2 to the GRZ and apply a DPO.

22. The purpose of the GRZ is to:

- encourage development that respects the neighbourhood character of the area
- implement neighbourhood character policy and adopted neighbourhood character guidelines
- provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport
- allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations

23. A copy of the draft zone and schedule is attached as appendix one.

24. The DPO requires a 'Development Plan' be approved for the site before a planning permit can be issued. The overlay requires issues such as density, design and traffic impacts to be considered in an integrated fashion. The DPO requires the draft Development Plan to be placed on public exhibition however there are no third party appeal rights. A copy of the draft DPO has been appended to this submission as appendix two. The proposed DPO applies to both former school sites.

2.2.2 Altona Gate Primary School

25. The former AGPS is located at 430-436 Blackshaws Road, Altona North. The DET proposes to rezone the site from PUZ2 to the RGZ and apply a DPO.

26. The purpose of the RGZ is to:

- provide housing at increased densities in buildings up to and including four storey buildings
- encourage a diversity of housing types in locations offering good access to services and transport including activities areas
- encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth
- allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations

27. A copy of the draft zone and schedule is attached as appendix three.

28. As discussed in paragraph 24 the proposed DPO applies to both former school sites.
3.0 Planning Controls and Council Policy

3.1 Reformed Residential Zones

29. The Minister for Planning introduced reforms to residential zones to better guide use and development within residential areas. As part of the reforms Councils were given 12 months to implement the new residential zones or transition to the GRZ. Hobsons Bay is working on a suite of policies to implement the new residential zones and transitioned to the GRZ as an interim measure.

30. The proposed reforms provide greater clarity on the type of development that can be expected in residential areas and identify areas appropriate for urban densification. The role of the reformed zones is summarised in the below table.

Table 1. Reformed Residential Zones

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<th>Description</th>
<th>Examples</th>
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<td>Residential Growth Zone</td>
<td>Enables new housing growth at a medium density in appropriate locations near activity centres or railway stations. The RGZ has a default maximum height of 13.5 metres (four storeys) however this is discretionary.</td>
<td>114 Mason Street, Newport.</td>
</tr>
<tr>
<td>General Residential Zone</td>
<td>Respects and preserve neighbourhood character while enabling modest housing growth and diversity through single dwellings and medium density housing. The GRZ has a default maximum height of 9 metres (three storeys) however this is discretionary.</td>
<td>66 Civic Parade, Altona.</td>
</tr>
<tr>
<td>Neighbourhood Residential Zone</td>
<td>Restricts housing growth in areas identified for urban protection. The NRZ has a mandatory height of eight meters equating to double storey development. The NRZ has a default mandatory maximum height of 8 metres (three storeys).</td>
<td>Supports single dwellings and dual occupancies i.e. 83 Paxton Street, South Kingsville.</td>
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### 3.2 Application of Reformed Residential Zones In Hobsons Bay

31. Council was not in a position to implement the reformed residential zones and as a consequence transitioned to the GRZ on 13 June 2014. To inform the location of the reformed residential zones Council is undertaking significant work by preparing, updating and reviewing a number of policies which are well advanced including:

- Housing Strategy
- Municipal strategic Statement
- Neighbourhood Character Strategy
- Activity Centre Strategy
- Integrated Transport Plan
- Heritage Study

32. These policies will inform the location of the new residential zones and it is considered premature to apply the RGZ to the former AGPS site prior to the completion of this work. Consequently the GRZ is considered the most appropriate zone for both sites as it is consistent with the surrounding residential area.

### 3.3 Draft Criteria Reformed Residential Zone

33. The DELWP prepared criteria within Advisory Note 50 to assist Councils with implementing the reformed zones; the criteria can be found at Appendix four. The criteria developed by DELWP focuses on three key themes:

- Strategic (i.e. Housing Strategy, Activity Centre Strategy, structure plans)
- Context (i.e. access to public transport, community facilities and shopping)
- Character (i.e. Neighbourhood Character, Heritage Overlays, DDO)
34. The Community Health and Wellbeing Plan (CHWP) and Council Plan 2013-17 identify the goals and objectives for Council. The criteria used to implement the reformed zones needs to be based on the goals and objectives of the Council Plan and CHWP and link with sound strategic planning principles.

35. Maintaining the overarching themes outlined by DELWP, criteria has been further developed to balance competing policies and controls within Hobsons Bay and address local context. Consequently, in addition to the abovementioned themes 'Environment and Amenity' considerations are being included due to the significance of these issues within the municipality. This criteria should be used to identify the most appropriate zoning for each site.

36. The former school sites allow the opportunity to increase housing densities and diversity of housing stock within Hobsons Bay and reduce pressures for development in other areas of the municipality. The sites can be redeveloped with minimal impact on adjacent neighbourhood character through the development of appropriate planning controls and will have the ability to regenerate areas and incorporate affordable housing initiatives and environmental sustainable design. Any redevelopment of former school sites is likely to impact on traffic movements however these implications are best dealt with at the planning permit stage when detailed plans and reports (including traffic modelling and car parking) are submitted for assessment.

3.4 Built Form Overlays

37. The DDO is one of three relevant Built Form Overlays in the Victoria Planning Provisions. These overlays are described as follows:

- DPO – this should be used where the form of development is appropriately controlled by a plan which satisfies the planning authority and a Planning Scheme Amendment is not required
- DDO – this overlay is intended to implement requirements based on a demonstrated need to control built form and the built environment. The intended built form outcome must be clearly stated, as must be the way in which the imposed requirements will bring this about. Where possible, performance-based requirements should be used rather than prescriptive ones – this is the preferred option
- Incorporated Plan Overlay (IPO) – this should be used where some form of plan is required to specify requirements for the development of an area and where the plan must be incorporated in the Planning Scheme. This plan can only be changed by a further Planning Scheme Amendment

38. The DPO and IPO exempt planning permit applications from notice and review if the application is generally in accordance with an approved plan. It is not considered appropriate for Council to support the introduction of planning provisions that remove third party notification and appeal rights without any measure of certainty of outcomes including concept plans and effective development guidelines in a zone schedule or overlay.

39. The DDO can be applied to the site to ensure a high quality, integrated outcome while preserving third party review rights. A schedule to the DDO must include a statement of the design objectives to be achieved and may include requirements on:

- building setbacks
- building heights
- landscaping
• any other requirements relating to design or built form

40. The decision guidelines of the DDO allow consideration of the existing character of the area; compatibility with heritage buildings; and the location, layout and appearance of car parking.

41. The DDO is Council’s preferred planning tool as it allows for third party appeal rights. Any proposed DDO should include provisions that reflect existing and preferred neighbourhood character elements and Council adopted policies. Consequently draft DDO should be prepared for each site and exhibited. The draft DDO should be site responsive and in addition to built form provisions it should include but not be limited to provisions that address:

• built form
- building heights and setbacks (that respond to the existing neighbourhood character)
- materials and finishes
• environmental issues
- environmentally sustainable design principles (including a requirement for a Sustainable Design Assessment)
- potentially contaminated land
• social implications (including a requirement for a Social Impact Assessment (SIA)
- community infrastructure levy as identified by an SIA
- affordable housing
- universal design principles
• open space
- private and public open space (including provision of onsite public open space or cash contribution to the value of five percent)
- landscaping requirements (including the retention of existing vegetation where appropriate)
• traffic
- submission of a traffic management plan (including car parking arrangements)

42. The following discussion elaborates on why elements other than built form should be included in the planning control introduced to manage development of these sites. They can be included in a either a DPO or a DDO.

3.5 Other Planning Controls

Environmentally Issues

43. Council has established a target of zero net corporate emissions by 2020 and community emissions by 2030 and seeks to play an important role in enabling and encouraging the community to move to a low carbon future and a sustainable way of living by influencing design and built form. It is important that environmentally sustainable design be included in the planning control to reduce ensure the ongoing cost of living for the future occupants of the dwellings is manageable.

Social Implications

44. Council requires planning permit applications for 20 dwellings or more to submit a SIA. The SIA would address affordable housing requirements and housing diversity as well as identifying community infrastructure to meet the needs of new communities.
45. In line with the objectives and strategies of Clause 16.01-5 (Housing Affordability) of the State Planning Policy Framework, Council adopted the Affordable Housing Policy Statement on 12 April 2016. This statement identifies a need to increase affordable housing options within the municipality, particularly through planning processes and statutory controls. This policy encourages at least 10 per cent inclusion of affordable housing for low income households in key redevelopment sites across the municipality. Any residential outcome for these sites should conform to this policy position and requirement.

46. The inclusion of affordable housing on the sites is consistent with the Victorian Government move to facilitate affordable housing on redevelopment sites.

47. The SIA will also be used to determine the expected needs of new communities. To facilitate the construction of buildings or facilities to be used for community or social purposes, Council will require a community infrastructure levy of $900 for each dwelling to be constructed, as permitted under Section 46(G) of the Planning and Environment Act 1987, to be included in the planning control.

48. Goal 2.1 of the CHWP 2013-17 is to contribute to an accessible, well connected city. Council is committed to ensuring that Council buildings and facilities are audited against the Australian Standard for access and mobility and encourage new developments to achieve universal design standards. The incorporation of universal design in the private realm is also considered important as Hobsons Bay has an increasing ageing population and 17 per cent of residents have a disability.

Open Space

49. Under Section 18 of the Subdivision Act 1988 Council acting as a responsible authority may require an applicant who proposes to subdivide land to set aside up to five percent of the land for public open space in a location satisfactory to the Council or request an open space contribution of up to five percent of the site value of the land. Alternatively it can request a combination of both. An open space contribution of five percent will be sought by the Council to facilitate the provision of open space to meet the needs of the new community.

50. The topography, climate, soil conditions and lack of natural tree cover are factors that combine to produce an urban landscape that tends to be hard edged. Maintaining and improving parks, open spaces and street trees was one of the top three issues identified in the CHWP that the community would like Council to focus on. A requirement for an arborist report and landscape plan should be a requirement of any future planning control.

Traffic

51. To ensure any traffic impacts generated by the proposed development can be absorbed by the existing road network and will have minimal impact on the existing community, a traffic management report should be a requirement of the planning control.

3.6 Contamination / Landfill

52. Council records do not indicate any contamination of the sites however, DET should undertake their own investigation to confirm this.
3.7 Developer Contributions

53. The sites are not affected by a Developer Contributions Plan (DCP) and Council should advocate to the Panel that the Advisory Committee will need to consider the provision for developer contributions and the appropriate mechanism for implementing them on the sites. Council is undertaking work to identify infrastructure gaps and what will be required as a result of additional development. Council will require a developer contributions to ensure the provision of infrastructure projects that will support and enhance the liveability of the new community.

3.8 Other Overlays

54. None of the sites are covered by any environment and landscape overlays, land management overlays or other overlays.
4.0 Former Altona West Primary School

4.1 Subject Site

55. The former AWPS is located on the corner of Medford Street, Belmar Avenue and Grieve Parade in Altona. It abuts the northern boundary of the former Altona Secondary College and is located at 103A Grieve Parade, Altona. On 3 April 2009 the two schools amalgamated to form the Altona P-9 College with the new school located on the former Altona Secondary College campus. The site has an approximate overall area of 19,000m².

56. The surrounding land use is predominantly single storey residential however, the Special Use Zone 4 (SUZ4) – Altona Special Industrial Area is located 75 metres north of the site which acts as a buffer to the petrochemical industry. There is currently no access to land zoned SUZ4 via Medford Street and this is unlikely to change. A small group of strip shops are located 300 metres to the north in Ford Road while the larger Harrington Square is located over 500 metres to the south. A number of existing mature trees exist on the site and these should be retained in the redevelopment of the site where possible.

57. The SUZ4 contains population density controls that restrict the number of people that can be located on a lot at any time. It also supports uses that are compatible with the adjacent petrochemical industry which can conflict with residential uses. Although planning permits can restrict new noxious industries from establishing, a number of sites have existing use rights. Consequently the use of the GRZ is supported as it allows for residential development but is less intensive than the RGZ.

58. The site is located within Precinct 7 (South) of the Hobsons Bay Neighbourhood Character Study (2002) and the existing key characteristics for the precinct are identified as:

- architectural styles predominantly from the 1960s and 1970s
- materials predominantly being brick with some weatherboards
- allotments measuring 500-750sqm
- mostly single storey dwellings with some examples of double storey dwellings and dwelling extension
- front setbacks of between 5-7 metres and side setbacks 1-3 metres
- low or non-existent front fences
- tall street trees

59. Council is currently in the process of updating the Neighbourhood Character Study as part of a suite of policies to inform the location of the new residential zones. During the preliminary community consultation over 30 per cent of respondents valued existing landscaping and green spaces in their neighbourhood while only 7.6 per cent of respondents liked the landscaping in new developments.
4.2 Site Analysis

Open Space

60. Whilst existing open space in this area currently meets the passive recreation needs of the local community, increased demand for space for formal sporting uses is anticipated should existing schools (for example the adjacent Altona P-9 College) wish to expand. Additional pressure on existing space is expected to result from forecast population increases and community facility requirements. In line with standard Council practice a five per cent open space contribution (either on-site or cash in-lieu) will be required as part of the any redevelopment of the site.

Community Facilities

61. Provision of kindergarten services is currently being reviewed in the Altona and Seaholme area and the expansion of existing facilities is being considered. At the Ordinary Council Meeting 26 April 2016 Council resolved to:
• acknowledge the significant contribution made to the consultation program by kindergarten
  committee members, parents, educators and community members
• confirm the construction of an Early Years Hub on the Altona P-9 College site, Civic Parade
  anticipated to be opened in January 2019 at an estimated cost of $6.9 million
• accept the $1.6 million funding offer from the Victorian Government to support construction of
  the Early Years Hub
• seek membership from Altona, Altona West, Somers Parade and Seafolme kindergarten
  committees and future early years’ services users to participate in a working group to inform
  the development of concept plans for an Early Years Hub and to recommend the appropriate
  level of service consolidation to meet the projected needs of the community
• review the concept plans by early 2017
• continue to work closely with the committees of the Altona, Altona West, Seafolme and
  Somers Parade kindergartens in the development of early years services for Altona

62. Although it is anticipated that the Early Years Hub facility will be constructed on the Altona P-9 College
site the final location is yet to be determined. Consequently until the location of the Early Years Hub is
determined, it is recommended that a portion of the former AWPS site should be retained.

63. As discussed in paragraph 44 Council require a SIA for developments of 20 dwellings or more,
consequently a SIA would be required for the redevelopment of this site. The SIA should identify
community infrastructure gaps and as part of any development Council will request payment of a
community infrastructure levy of $900 per dwelling to assist Council in addressing these gaps (where
appropriate). A SIA would be triggered at the planning permit stage and therefore it should be a
requirement as part of the proposed planning controls.

Education Facilities

64. There are no government schools located in Altona and Altona Meadows that provide an education
beyond Year 9, students must travel to Laverton (Laverton P-12 College), Newport (Bayside Paisley
Campus) or Williamstown (Williamstown High School) to undertake VCE Study. The reinstatement of a
‘full’ secondary college in Altona is considered appropriate and Council will continue to advocate to DET
for the retention of teaching and education sites in Hobsons Bay. The retention of the AWPS could
accommodate an expansion of the Altona P-9 College to include VCE studies.

Public Transport and Traffic

65. The AWPS is located approximately 700 metres\(^1\) from Westona Railway Station and bus route 415,
Laverton – Williamstown, runs along Grieve Parade (the eastern boundary of AWPS). Westona Railway
Station is located along the ‘Altona Loop’ which provides a shuttle service between Laverton and
Newport (off peak). Council and the community continually raise concerns relating to frequency,
efficiency and reliability of the Altona Loop service and public transport in general. The redevelopment
of the site may increase traffic movements however it is acknowledged that schools generate traffic in
their own right and traffic implications of development are best determined at the planning permit stage.
Notwithstanding this, a requirement to provide a detailed traffic report at the planning permit stage
should be included as part of any planning control for the site.

\(^1\) Measured from the south-western corner via Medford, Karingal and Harrington Streets.
4.3 Assessment against the Reformed Residential Zones

66. The AWPS is well located with good access to transport, retail, education and open space facilities and has reasonable access to community facilities. Conversely AWPS is also located close to industry and the predominant neighbourhood character is single storey detached dwellings. Despite being located near industry and the surrounding neighbourhood character, the site is substantial in size and could be designed to minimise potential impacts on the surrounding residential development through design guidelines such as building setbacks and heights and landscaping requirements as outlined below.

67. The GRZ is considered the most appropriate zone for AWPS as it best reflects the existing GRZ adjacent the site and the development of design guidelines will ensure that any impacts on adjacent residential development is minimised. The design guidelines could include provision for front setbacks, landscaping, heights and building materials to ensure that any higher density development integrated with the prevailing neighbourhood character. Similarly the schedule to the GRZ could include provisions to achieve the existing and preferred neighbourhood character as identified through community consultation on the development of the Neighbourhood Character Study including:

- one canopy tree (eight metre mature height) provided in the front setback per ground floor dwelling fronting the street
- one canopy tree (eight metre mature height) per ground floor private open space
- ground floor private open space minimum 40sqm with a minimum width of four metres
- maximum 1.2m high front fence

These requirements are consistent with the existing Neighbourhood Character Study and align with the community consultation undertaken as part of updating the Neighbourhood Character Study.
5.0 Former Altona Gate Primary School

5.1 Subject Site

68. The former AGPS is located at 430-436 Blackshaws Road, Altona North and has frontage to Blackshaws Road and Misten and Rosala Avenues. Overall the site has an approximate area of 24,000m². The surrounding land use is predominantly single storey residential with Emmanuel College (St Pauls Campus) located on the opposite side of Blackshaws Road to the south of the site. A small group of shops is located to the west on the corner of Misten Avenue and Blackshaws Road and the site are approximately 500 metres from Altona Gate Shopping Centre. A number of existing mature trees exist on the site and these should be retained in the redevelopment of the site where possible.

69. The site is located within Precinct 2 (North) of the Hobsons Bay Neighbourhood Character Study (2002) and the existing key characteristics for the precinct are identified as:

- architectural styles from the 1960s with some 1970s
- materials are predominantly brick and tile including some pockets of matching brick types such as orange or cream
- allotments measuring 500-600sqm
- mostly single storey dwellings with some examples of double storey dwellings (particularly at the western end of the precinct)
- front setbacks of between five to seven metres and side setbacks one to three metres
- front fences vary in height and materials but often match the brickwork
- street trees vary in species and there are wide grassy nature strips

70. As discussed in paragraph 59, Council is currently in the process of updating the Neighbourhood Character Study and this forms part of a suite of policies to inform the location of the new residential zones.

71. The former AGPS merged with Bayside College (Altona North Campus) to form a P-9 school on the Bayside College site on the corner of Millers and McArthurs Roads. Bayside College offers VCE education at the Paisley Campus which is located approximately 2kms away in Newport.

72. Altona North is home to a number of significant industries and Blackshaws Road (the southern boundary of the site) is zoned Road Zone Category 1 and used by road freight. The amenity impacts from freight are not conducive to residential development and in order to minimise the number of residents affected by freight the GRZ should be utilised in conjunction design guidelines that address this interface.
5.2 Site Analysis

Open Space

73. Although several large reserves are located in Altona North, this area is identified in Council’s Open Space Plan 2005 as being deficient in open space - there are no spaces in Altona North conducive to picnicking or large cultural/social gatherings, which could be expected to be in demand in this area. A background report prepared to underpin a revised strategy confirms that Altona North remains deficient in open space. Altona North also has less available open space per capita compared to other precincts within Hobsons Bay. Additionally, the precinct faces higher than average pressure on the availability of open space from projected population growth. Part of addressing the open space gap areas involves securing new open space for expansion. The school site presents such an opportunity. Council is aware that Places Victoria had expressed interest in developing the site should it be rezoned for residential purposes. Council would require an open space contribution of five per cent (on-site or cash in lieu) as part of any residential development however this is likely to be determined as part the Council’s Open Space Strategy currently being prepared.
Community Facilities

74. There is currently no identified needs for additional community facilities in this area however as discussed in paragraphs 44 and 53 a SIA and associated developer contributions as appropriate would be required.

Education Facilities

75. Acknowledging the closure of the AGPS, children who live north of Blackshaws Road now have to travel a relatively long distance (over 2kms) to Bayside College (Altona North Campus) located on the corner of Millers and McArthurs Roads. This means they have to cross both the busy Blackshaws and McArthurs Roads.

76. It is therefore important that a path of safe travel to Bayside College (Altona North campus) is available in relation to footpaths, crossings, lighting, bike paths and public transport options.

Public Transport and Traffic

77. The former AGPS is remote from fixed rail public transport however bus route 471, Williamstown – Sunshine, runs along Blackshaws Road (the southern boundary of AGPS). Additionally bus route 432, Newport – Yarraville, runs along Chambers Road approximately 200m east of AGPS. Council and the community have concerns relating to the frequency, reliability and efficiency of public transport services in Hobsons Bay and question the effectiveness of these services. The redevelopment of the site may increase traffic movements however it is acknowledged that schools generate traffic in their own right and traffic implications of development are best determined at the planning permit stage.

5.3 Assessment against the Reformed Residential Zones

78. The former AGPS is reasonably located with access to transport, retail and community facilities and non-government education facilities. Access to open space is limited in this area and provision for open space adjacent the Misten Avenue shops is supported. The predominant neighbourhood character is single storey detached dwellings however the site is large and could be designed to minimise potential impacts on the surrounding residential development through design guidelines and the implementation of a DDO.

79. The GRZ is considered the most appropriate zone for AGPS however a small Public Park and Recreation Zone should be provided near the Misten Avenue shops. The GRZ best reflects the existing GRZ adjacent the site and the development of design guidelines will ensure that any impacts on adjacent residential development is minimised. The design guidelines could include provision for front setbacks, landscaping, heights and building materials to ensure that any higher density development integrated with the prevailing neighbourhood character. Similarly the schedule to the GRZ could include provisions to achieve the existing and preferred neighbourhood character as identified through community consultation on the development of the Neighbourhood Character Study including:

- one canopy tree (8m mature height) provided in the front setback per ground floor dwelling fronting the street
- one canopy tree (8m mature height) per ground floor private open space
- ground floor private open space minimum 40sqm with a minimum width of 4m
- maximum 1.2m high front fence
80. These requirements are consistent with the existing Neighbourhood Character Study and align with the community consultation undertaken as part of updating the Neighbourhood Character Study.

81. Further to this Altona North is identified as an Activity Centre under Plan Melbourne and structure planning should be undertaken to determine the best location for the new zones in this area. The rezoning of the former AGPS to RGZ may prejudice any future structure planning for the area and is not considered appropriate.
6.0 Managing Residential Development Advisory Committee

82. The Minister for Planning has appointed the Managing Residential Development Advisory Committee (MRDAC) to report on the new residential zones and it is considered premature to rezone the former school sites prior to the release of these findings. The purpose of MRDAC is to:

- consider the process used to implement the new residential zones
- review the application of the new residential zones
- advise on the level of strategic justification needed to apply the new residential zones
- recommend improvements to the new residential zones
- provide councils with the opportunity to be heard

83. Hobsons Bay City Council presented to MRDAC on 10 May 2016 and is currently awaiting the recommendations of the Committee. It is considered premature to apply the new residential zones in Hobsons Bay prior to the release of the MRDAC report and the completion of the work being undertaken to strategically justify the application of the new zones, as discussed in paragraphs 31 and 32. Consequently the former school sites should transition to the GRZ subject to the findings of the MRDAC and completion of Councils strategic policies.
7.0 Conclusion

84. The Minister for Planning has appointed an independent Standing Advisory Committee to provide advice on the proposed rezoning of surplus government land. Council does not support the closure of educational facilities in Hobsons Bay, however to ensure that Council can influence the future planning controls of these sites Council has prepared a submission to the Standing Advisory Committee outlining the preferred zoning and planning controls for each of the former school site.

85. An assessment on availability of open space, community facilities, education facilities and public transport and the existing neighbourhood character has determined that the GRZ is the most appropriate zone for both former school sites however this must be accompanied by a supporting zone schedule and design guidelines in a specific overlay. Despite the GRZ being determined the most appropriate zoning for the sites the planning controls should be responsive and include detailed schedules to ensure site responsive outcomes.

86. Population increases in the north-eastern part of the municipality are likely to impact on existing services and public open space and consequently provision for some public open space should be provided on the former AGPS site. The submission of SIA for any development will assist in determining community infrastructure gaps in these areas.

87. Additionally the neighbourhood character surrounding each of the former school sites must be considered and design requirements / overlays should be applied that deal with elements such as front setbacks, landscaping, heights and building materials.

88. The former school sites allow the opportunity to increase housing densities and diversity of housing stock within Hobsons Bay and reduce pressures for development in other areas of the municipality. Development on the former school sites can be provided with minimal impact on adjacent neighbourhood character through the development of appropriate design guidelines.

89. It is submitted that the most appropriate zone for both sites is the GRZ and the most appropriate planning tool to manage the development of the sites is a DDO.
Appendix 1
General Residential Zone Schedule
SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ4.

1.0 Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 13.5 metres. A lift overrun may exceed the abovementioned mandatory height requirement by no more than 1.5 metres.

4.0 Application requirements

None specified.

Decision guidelines

None specified.
Appendix 2
Development Plan Overlay
DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO with a number.

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

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 it is generally in accordance with a development 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 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

An application under any provision of this scheme which is generally in accordance with the development 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.

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.
Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check the requirements of the zone which applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.
Appendix 2
Development Plan Overlay Schedule
SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1.

REDEVELOPMENT SITES

Site Description

This schedule applies to land generally known as:

- 103A Grieve Parade, Altona (Crown Allotment 2077 - Parish of Truganina)
- 430-436 Blackshaws Road, Altona North

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Bulk excavation, site preparation and retention works including piling, footings, ground beams and ground slab, and minor buildings and works provided that interim treatments are to the satisfaction of the responsible authority and any works required to satisfy environmental clean up or audit requirements.
- Subdivision of the land into superlots or to realign property boundaries, or create a road, or create or remove easements.

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.

2.0 Requirements for development plan

The development plan may be prepared for the whole site or in stages.

In preparing a development plan or an amendment to a development plan, the following matters should be considered:

- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, details of the nature of the proposed use.
- Incorporate sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Variation to building forms across the site.
- Internal amenity for future residents.
- The amenity of adjoining sites by providing for a maximum of 2 storey built form adjacent to or opposite any existing single storey residential development.
- Taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- A positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.
- Opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate that link to the existing networks.
- Where provided, locate open space adjacent to pedestrian/cycle pathways.
- Opportunities to retain vegetation where appropriate.

Development plan components

The development plan must include the following components:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes and social infrastructure.
- Concept plans for the layout of the site which show:
  - New building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space;
  - Three-dimensional building envelope plans including indicative building heights and setbacks.
  - Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.
- An indicative development schedule including the number, type and density of dwellings and the floor area of any proposed non-residential uses.
- A traffic management report and car parking plan, which considers:
  - Identification of roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
  - Any traffic management measures, where required.
  - Location and linkages to public transport.
  - Car parking rates for all uses, including visitor parking.
  - Provision for bicycle facilities.
- Proposed staging plan (if relevant)
- An arboricultural assessment of any significant vegetation on the land, including advice on the long term health and retention value of such vegetation.
- A landscape concept plan for the site

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.

Display of Development Plan

Before deciding to approve a development plan, the responsible authority must display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land.

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 may display an amendment to a development plan if it is considered to potentially impact the surrounding residential area.

4.0

**Decision Guidelines**

Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider as appropriate:

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 55 and 56 of the scheme.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
Appendix 3
Residential Growth Zone
RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ with a number (if shown).

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide housing at increased densities in buildings up to and including four storey buildings.

To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.

To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Railway</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>and Bottle shop)</td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Section 2 – Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Accommodation (other than Dependent</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>person’s unit, Dwelling and Residential</td>
<td></td>
</tr>
<tr>
<td>aged care facility)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping,</td>
<td></td>
</tr>
<tr>
<td>Animal training, Apiculture, Horse</td>
<td></td>
</tr>
<tr>
<td>stables and Intensive animal</td>
<td></td>
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<tr>
<td>husbandry)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal</td>
<td></td>
</tr>
<tr>
<td>boarding) – if the Section 1 condition</td>
<td></td>
</tr>
<tr>
<td>is not met</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>Community market</td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop – if the Section 1</td>
<td></td>
</tr>
<tr>
<td>conditions to Shop are not met.</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation and Motor</td>
<td></td>
</tr>
<tr>
<td>racing track)</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus,</td>
<td>The site must either:</td>
</tr>
<tr>
<td>Nightclub and Place of worship)</td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td>Plant nursery</td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Service station</td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>- 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Bottle shop and Convenience</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>shop) – if the Section 1 conditions are not met</td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Tavern</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>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 bookshop</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Bottle shop</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Horse stables</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Retail premises (other than Community market, Food and drink</td>
</tr>
<tr>
<td>premises, Plant nursery and Shop)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
</tbody>
</table>
Use

Stone extraction
Transport terminal
Warehouse (other than Store)

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:
- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:
- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

A permit is not required to construct one dependent person's unit on a lot.

Transitional provisions

Despite the amendments made to Clause 55 by Amendment VC100, Clause 55 does not apply to:
- an application to construct or extend a development of four or more storeys made before the approval date of the planning scheme amendment that introduces those amendments into the planning scheme; and
- an application under section 69 of the Act to extend a permit to construct or extend a development of four or more storeys granted on or before the approval date of Amendment VC100.

32.07-5

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:
- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.07-6

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-1.

32.07-7

Maximum building height requirement for a dwelling or residential building

The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone.

This does not apply to:
- An extension of an existing building that exceeds the specified building height provided that the extension does not exceed the existing building height.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.
If no building height is specified in a schedule to this zone, the maximum building height should not exceed 13.5 metres unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the height of the building should not exceed 14.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

32.07-8
Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

32.07-9
Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For residential development of five or more storeys, an urban context report and design response as required in Clause 52.35.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.07-10
Exemption from notice and review

Subdivision

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of this zone
- Any other decision guidelines specified in a schedule to this zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.
- For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004).

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.

Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.
Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.
Appendix 3
Residential Growth Zone Schedule
SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ1

1.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A6 and B8</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td></td>
<td>B28</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

2.0 Maximum building height requirement for a dwelling or residential building

None specified.

3.0 Application requirements

None specified.

4.0 Decision guidelines

None specified.
Appendix 4
Advisory Note 50
Reformed residential zones

This advisory note provides information about the introduction of the General Residential, Neighbourhood Residential and Residential Growth zones in Clause 32 of the Victoria Planning Provisions (VPP) through Amendment V8.

This advisory note explains:
- the background and amendment process of the reformed residential zones
- the main features of the reformed residential zones
- how the new provisions affect planning schemes, existing uses, permits and permit applications
- the application and implementation of the new residential zones into planning schemes.

Why have new residential zones been introduced?
The Victorian government has delivered on commitments to reform Victoria’s residential zones by introducing the new residential zones into the VPP and ensuring that these zones are relevant and reflect the aspirations of all Victorians. The new residential zones will give greater clarity about the type of development that can be expected in any residential area by simplifying requirements, allowing a broader range of activities to be considered and better managing growth.

What are the main features of the reformed residential zones?
The General Residential Zone (GRZ), Neighbourhood Residential Zone (NRZ) and Residential Growth Zone (RGZ) will replace the Residential 1, 2 and 3 zones. The new and amended residential zones provide councils with improved tools to plan for residential development.
Residential Growth Zone

- The zone purpose encourages diverse housing types and increased densities up to and including four storeys. This zone will work as a transitional zone between areas of more and less intensive development.
- Sets a discretionary height limit of 13.5 metres for dwellings and residential buildings with the ability for a council to specify a mandatory height limit through the schedule to the zone.
- Allows complementary uses including Shop, Food and drink premises, Medical centre and Place of worship without a permit if conditions limiting their location and scale are met.

General Residential Zone

- The zone purpose provides for a diversity of housing types and moderate housing growth, and requires development to respect neighbourhood character and implement neighbourhood character policy guidelines.
- A discretionary height limit of 9 metres (‘ResCode’ standard) with the ability for a council to specify a mandatory height limit through the schedule to the zone.
- Allows complementary uses including Medical centre and place of worship without a permit if conditions limiting their location and scale are met.

Neighbourhood Residential Zone

- The zone purpose manages areas where there are limited opportunities to increase residential development and requires development to respect identified neighbourhood character.
- A maximum of two dwellings allowed on a lot with the ability for a council to specify a different number in a schedule to the zone.
- A mandatory height limit of 8 metres for dwellings and residential buildings with the ability for a council to specify a mandatory height limit in a schedule to the zone to take account of existing built form.
- Allows complementary uses including Medical centre and place of worship without a permit if conditions limiting their location and scale are met. This includes a maximum floor area of 250 square metres and a requirement to adjoin a major road for both of these uses.

When will the new residential zones be implemented into local planning schemes?

The Residential Growth Zone, General Residential Zone and Neighbourhood Residential Zone have been introduced into the VPP. They will be implemented into all planning schemes by 1 July 2014.

For a period of time the VPP will contain the three new residential zones and the Residential 1, 2 and 3 zones because councils require time to make amendments to planning schemes implementing the new residential zones.

How will the new residential zones affect existing uses, permit applications and approved permits?

Existing lawfully established uses can continue to operate and existing permits which have not expired can still be acted upon as provided in Clause 63 of the planning scheme.

When a new zone replaces an existing zone in the planning scheme land use and development that no longer requires a permit under the new provisions does not need to comply with relevant existing permit requirements. Other planning scheme provisions and restrictions such as section 173 agreements or covenants may still apply.

For example, the Neighbourhood Residential Zone will apply more restrictive planning provisions to some residential land. Situations may arise where permit applications lodged subject to the Residential 1, 2 or 3 provisions, but not yet decided, are now subject to the Neighbourhood Residential Zone. Transitional provisions have been introduced to ensure that existing permit applications for residential development and subdivision that have been lodged but not decided are not unfairly disadvantaged.

Where a current permit application is no longer required because of the implementation of a new residential zone, the application cannot be
determined by a council. A council can determine if a full or partial application fee refund is applicable.

Permit holders and permit applicants are encouraged to discuss these matters with their council if they believe they will be affected by the new residential zones.

**How will the new residential zones be applied and implemented?**

A planning scheme amendment is required to implement the new zones into council planning schemes. Councils will have 12 months from the gazettal of Amendment V8 to begin amendments to their planning provisions and maps to apply the new zones. Existing schedules to the residential zones can be translated to the new zone schedules. When doing this work councils are encouraged to make consequential changes to local policies to align with the reformed zones.

If new zones are not implemented by 1 July 2014, the General Residential Zone will replace the Residential 1, 2 or 3 zone by default.

Different approaches to applying the new residential zones are available depending upon the individual circumstances of each council. Councils should undertake a strategic approach to the implementation of the residential suite of zones and consider the opportunities presented by converting existing residential zones to the new residential zones.

The following information is intended to assist councils in deciding on the best amendment process to apply the new residential zones.

<table>
<thead>
<tr>
<th>Circumstance</th>
<th>Suggested approach</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tier 1 – Councils with existing policies</strong></td>
<td>A council can begin preparing an amendment to implement the new residential zones. This may include a request to the Minister for Planning to prepare the amendment and use his powers under Section 20(4) of the Planning and Environment Act 1987 to exempt himself from the requirements of giving notice depending on the earlier consultation informing the housing and development strategy and its implementation.</td>
</tr>
<tr>
<td>A council that has existing and relevant policies/strategies such as housing and development strategies which have undergone a process of public exhibition. These policies can readily spatially convert into the three new residential zones. The existing policy work would generally reflect the principles and criteria set out in Tables 1 and 2 of this document.</td>
<td></td>
</tr>
<tr>
<td><strong>Tier 2 – Councils with draft policies</strong></td>
<td>A council can work to complete the draft policies and concurrently begin work on an amendment to implement the new residential zones. This amendment process would include notification of the amendment and consultation on the provisions of the zones and schedules.</td>
</tr>
<tr>
<td>A council currently developing relevant draft policies such as housing and development policies/strategies that can be used to apply the new residential zones.</td>
<td></td>
</tr>
<tr>
<td><strong>Tier 3 – Councils with no relevant policy work</strong></td>
<td>A council can work to develop relevant policies that will provide the strategic basis for applying the new residential zones. Work can begin concurrently on the amendment to implement the new residential zones. This amendment process would include notification of the amendment and consultation on the provisions of the zones and schedules.</td>
</tr>
<tr>
<td>A council that has not undertaken current or relevant policy work that can be used to apply the new residential zones.</td>
<td></td>
</tr>
</tbody>
</table>

**Note:** Councils are encouraged to liaise with the Department of Transport, Planning and Local Infrastructure to discuss their circumstances and implementation process.
**Principles and criteria for applying the new residential zones**

The Department of Transport, Planning and Local Infrastructure has conducted a series of workshops with councils and other stakeholders to test implementation criteria for the new residential zones. The following tables have been prepared by the department to assist councils in identifying principles and criteria to apply the new residential zones when preparing a planning scheme amendment.

**Table 1 - Principles for applying the new residential zones**

<table>
<thead>
<tr>
<th>New Residential Zone</th>
<th>Purpose</th>
<th>Likely application</th>
<th>Principles in applying zones</th>
</tr>
</thead>
</table>
| RGZ                  | Enables new housing growth and diversity in appropriate locations | In appropriate locations near activities areas, town centres, train stations and other areas suitable for increased housing activity such as smaller strategic redevelopment sites | • Locations offering good access to services, transport and other infrastructure  
• Areas which provide a transition between areas of more intensive use and development and areas of restricted housing growth  
• Areas where there is mature market demand for higher density outcomes |
| GRZ                  | Respects and preserves neighbourhood character while allowing moderate housing growth and diversity | In most residential areas where moderate growth and diversity of housing that is consistent with existing neighbourhood character is to be provided | • Areas with a diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character  
• Areas where moderate housing growth and housing diversity is encouraged |
| NRZ                  | Restricts housing growth in areas identified for urban preservation | In areas where single dwellings prevail and change is not identified, such as areas of recognised neighbourhood character, environmental or landscape significance | • Areas with a neighbourhood character that is sought to be retained  
• Areas where more than 80% of lots currently accommodate detached dwellings  
• Areas with Neighbourhood Character Overlays  
• Residential areas with Heritage Overlays (such as larger heritage precincts, rather than individually recognised heritage sites)  
• Areas of identified environmental or landscape significance  
• Areas which may not have good supporting transport infrastructure or other infrastructure, facilities and services and are not likely to be improved in the medium to longer term |

*Other principles and criteria may be required by councils to suit local circumstances.*
### Table 2 - Criteria to guide the application of the new residential zones

<table>
<thead>
<tr>
<th>Character</th>
<th>Neighbourhood Residential Zone (low levels of residential change)</th>
<th>General Residential Zone (moderate levels of residential change)</th>
<th>Residential Growth Zone (high levels of residential change)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Retention of identified neighbourhood character (such as evidenced through HO, NCO, DDO, significant intactness)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>2 Identified areas for growth and change (such as evidenced through DDO or similar)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>3 Existing landscape or environmental character/constraints (evidenced through SLO, ESO, local policy)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4 Risk associated with known hazard (evidenced through BMO, LSIO or EMO for fire, flood and landslide or other constraints identified through EPA hazard buffers or similar)</td>
<td>High</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>5 Level of development activity (existing and desired)</td>
<td>Low</td>
<td>Low/Moderate</td>
<td>High</td>
</tr>
<tr>
<td>6 Brownfield/urban renewal site/area</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Strategic</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Adopted housing and development strategy (not required for conversion only to GRZ)</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>8 Identified in Activities Area structure plan / policy</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>9 Commercial or industrial land for redevelopment not in Activities Area (strategic justification for rezoning required)</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>10 Good access to employment options</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Context</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Good access to local shopping</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>12 Good access to local community services</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>13 Good access to transport choices (including walkability, public transport, cycling, road access etc.)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*There is no specific weighting to the criteria. This should be applied by councils to suit local circumstances.*
What is the background to the new provisions?

The government has committed to improve the efficiency of the planning system by reviewing the operation of the zones. The Minister for Planning released a set of proposed reformed zones in July 2012 for public comment. The reformed zones included a suite of new or amended residential, industrial, commercial and rural zones.

A Reformed Zones Ministerial Advisory Committee was established to consider all comments and to advise the government on the zone reforms. A total of 917 submissions related to the reformed residential zones.

The Committee met with stakeholders including councils, community and industry groups. The Committee provided the government with a Residential Zones Progress Report making 21 recommendations on the residential zones. The Government supported the majority of the Committee’s recommendations and released a final set of residential zones in March 2013.

Amendment V8 implements the reforms supported by the government.

More information


- Publications / Practice and advisory notes
- Victoria Planning Provisions
- Residential Zones Progress Report and the government response, 14 December 2012
- Fact Sheet: Reformed Zones for Victoria, Reformed Residential Zones, An Update July 2013